

The Gazette



of India

PUBLISHED BY AUTHORITY

No. 51] NEW DELHI, SATURDAY, DECEMBER 19, 1964/AGRAHAYANA 28, 1886

Separate paging is given to this Part in order that it may be filed
as a separate compilation

NOTICE

The unfermentioned Gazettes of India Extraordinary were published upto the 9th December 1964:—

Issue No.	No. and Date	Issued by	Subject
305	S.O. 4173, dated 1st December, 1964.	Election Commission, India.	List of contesting candidates for the Bye-election from the Saharsa Parliamentary Constituency.
306	S. O. 4174, dated 2nd December, 1964.	Ministry of Information and Broadcasting.	Approval of films specified therein.
307	S. O. 4175, dated 2nd December, 1964.	Ministry of Law.	Declaration containing the name of the Candidate elected by the Phulpur Parliamentary Constituency.
308	S. O. 4176, dated 3rd December, 1964.	Election Commission, India.	List of contesting candidates for the Bye-election from the Chanda Parliamentary Constituency.
309	S. O. 4230, dated 8th December, 1964.	Ministry of Information and Broadcasting.	Approval of films specified therein.
310	S. O. 4232, dated 9th December, 1964.	Ministry of Law.	Declaration containing the name of the Candidate elected by the Monghyr Parliamentary Constituency.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 7th December, 1964

S.O. 4235.—Whereas the election of Shrimati Sarla Devi as a member of the Council of States by the elected members of the Uttar Pradesh Legislative Assembly has been called in question by an election petition by Shri Z. A. Ahmed;

And whereas by its notification No. 82/9/64 dated the 1st June, 1964, the Election Commission appointed Shri Sudhi Bhushan Malik, District Judge, Lucknow, to be the Member of the Election Tribunal constituted for the trial of the said petition;

And whereas, the said Shri Sudhi Bhushan Malik consequent on his transfer to Allahabad, has resigned the membership of the said Tribunal and a vacancy has accordingly occurred in the office of the Member of the Tribunal;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 86 and section 88 of the Representation of the People Act, 1951, the Election Commission hereby appoints Shri Gur Saran Lal Srivastava, District Judge, Lucknow to fill the said vacancy and Lucknow as the place where the trial of the said petition shall be held.

[No. 82/9/64.]

By Order,

PRAKASH NARAIN., Secy.

DELIMITATION COMMISSION**ADDENDUM**

New Delhi, the 8th December, 1964

S.O. 4236.—At the end of the Commission's notification No. 282/MY/64(3), dated the 27th November, 1964, published in the Gazette of India Extraordinary, Part II—Section 3, Sub-section (ii) (S.O. No. 4102) dated the 27th November, 1964, the following shall be inserted:—

“GULBARGA DISTRICT

Assembly constituencies Kamalapur, Alland, Gulbarga, Afzalpur and Kalgi.

Sl. No.	Constituency	Extent of constituencies	Total	Population SC	%
1	2	3	4	5	6
1	Kamalapur .	Kamalapur Circle of Gulbarga taluk and 25 villages of Farahatabad circle of Gulbarga taluk and villages in Gulbarga circle excluding these villages included in Kalgi constituency.	90,124	13,429	14.88
2	Alland (SC) .	A Alland taluk and Narena circle of Alland taluk.	100,583	18,383	18.27

1	2	3	4	5	6
3	Afzalpur	Afzalpur taluk and Nimberga circle of Alland taluk	149,823	23,558	15.7
4	Gulbarga	Gulbarga town only	97,069	7,616	7.84
5	Kalgi	As per Commission's proposal. But exclude 8 villages in Gulbarga circle specified in item No. 4.	99,686	14,229	14.2

Villages in Farhatabad circle in Gulbarga taluk included in Kamalapur constituency.

1	2	3	4
1.	Manihal	315	77
2.	Harur Buzurg	1,846	311
3.	Jegur	1,396	241
4.	Belgumpa khurd	428	146
5.	Kawathmiya	821	98
6.	Kawalga khurd	655	96
7.	Awarad khurd	383	59
8.	Kawalaga Buzurg	655	96
9.	Hagargundi	1,492	267
10.	Gareer khurd	18	..
11.	Tad Tegnoor	913	163
12.	Minajigi	1,000	72
13.	Gareer buzurg	677	92
14.	Kadini	1,576	158
15.	Kolur	528	..
16.	Hadgib Harutti	1,343	274
17.	Malni	319	56
18.	Machanhal	263	..
19.	Kadanhal	340	32
20.	Malkundakhurd	791	89
21.	Malkunda buzrug	1,008	40
22.	Yalwanti khurd	535	104
23.	Hunag Hedgil	941	394
24.	Savalgi buzrug	2,181	422
25.	Halgunda	703	256
		21,327	3,543

8 villages in Gulbarga Circle in Gulbarga taluk included in Kalgi constituency but now included in Kamalapur constituency.

	Total	SC
1. Kabdur	431	89
2. Algod	887	200
3. Hal Sultanpur	204	57
4. Harsoor	2,427	389
5. Kerur	272	..
6. Tavergera	845	142
7. Awarad buzrug
8. Benur	430	64
		5,406
		941

S. RUDRAPPA"

[282/MY/64(3)]

By Order,

P. S. SUBRAMANIAN, Secy.

MINISTRY OF HOME AFFAIRS*New Delhi, the 9th December, 1964*

S.O. 4237.—In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 11, clause (b) sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957 and all other powers hereunto enabling, the President hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs No. S.R.O. 628, dated the 28th February, 1957, namely:—

In the Schedule to the said notification, in Part I, under heading "Central Reserve Police" for the existing entry "All Gazetted posts" in column 1 and the entries relating thereto in columns 2, 3 and 4 the following shall be substituted, namely:—

1	2	3	4
Deputy Supdt. of police (Company Commander/ Quarter Master/Assis- tant Principal, central Training College).	President	President Inspector General	All (i) to (iii)
Civil Assistant Surgeon (Grade I)	Secretary	Secretary Inspector General	All (i) to (iii)"

[No. F. 7/62/63-P.II]

G. L. BAILUR, Under Secy

CORRIGENDUM*New Delhi, the 8th December, 1964.*

S.O. 4238.—In the Order of the Government of India in the Ministry of Home Affairs No. S.O. 3670, dated the 12th October, 1964, and published in Part II, Section 3, sub-section (ii) of the Gazette of India at page 4102 in line 2 of paragraph 2 for "Consel do Service Technico Adoaneiro" read "Concelho do servico Tecnico Aduaneiro".

[No. F. 15/3/64-UTL.]

K. R. PRABHU, Dy. Secy.

CABINET SECRETARIAT

(Department of Statistics)

New Delhi, the 11th December 1964

S.O. 4239.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Service (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the Schedule to the notification of the Government of India in the Cabinet Secretariat No. S.R.O. 633 dated the 26th February, 1957, namely:—

Amendments

In the Schedule to the said notification, in Part II General Central Service, Class III, under the heading 'Directorate of National Sample Survey',—

- (i) in columns 2 and 3, for the expression "Assistant Director in his own range" wherever it occurs, the expression "Assistant Director/Statistician in his own range" shall be substituted;
- (ii) in column 5, for the words "Assistant Director of the concerned range", the words "Assistant Director/Statistician of the concerned range" shall be substituted.

[No. F.18/9/63-Estt.II.]

M. BALAKRISHNA MENON, Dy. Secy.

MINISTRY OF COMMERCE

New Delhi, the 7th December, 1964.

S.O. 4240.—The following further amendments made by the Coir Board, in exercise of the powers conferred by Sub-Section (1) of Section 27 of the Coir Industry Act, 1953 (45 of 1953), to the Coir Board (Transaction of Business, Conditions of Service of Employees and Maintenance of Accounts) Bye-laws, 1955, are hereby published for general information, the same having been confirmed by the Central Government as required by sub-section (2) of Section 27 of the said Act, namely:

In the said bye-laws:—

(1) After bye-law 23, the following bye-law shall be inserted, namely:—

“23A. The Executive Committee or the Chairman may sanction advances from the Board's funds to its employees for the purchase or construction of houses and for the purchase of conveyances to the extent specified in the Schedule hereto annexed. Such advances shall be governed by, and be subject to, the principles, rules, conditions and directions prescribed by the Central Government from time to time to regulate similar advances sanctioned to its employees. The Board shall have powers to sanction such advances in excess of the limits specified in the said Schedule.”;

(2) After bye-law 24, the following bye-law shall be inserted, namely:—

“24A. The Chairman may sanction permanent advances, upto a limit of Rs. 100 in each case to each sub-office or institution under the Board to meet the petty expenditure of such office or institution. These advances shall be recouped in the manner specified in bye-law 24.”;

(3) In the Schedule—

(i) against serial No. 3,—

(a) for the entry in column 4, the following entry shall be substituted, namely:—

“To all members of the staff (including the Secretary) and class IV servants.”;

(b) in column 5, the following entry shall be inserted, namely:—

“To all employees in the cadres of Upper Division Clerks and Lower Division Clerks and all Class IV servants.”;

(ii) After serial No. 9, the following serial No. and entries shall be inserted, namely:—

1	2	3	4	5
“10.	To grant advances to the employees of the Board			
(i)	for purchase or construction of houses.	Upto Rs. 20,000 in each case.	Upto Rs. 5,000 in each case.	
(ii)	for purchase of conveyances.	for purchase of motor cars or motor cycles.	for purchase of cycles.”	

[F. No. 11(11)/63-TEX. (E).]

A. G. V. SUBRAHMANYAM, Under Secy.

(TEA CONTROL)

New Delhi, the 8th December, 1964.

S.O. 4241.—Subject to the title of leave being certified by the Audit Officer concerned, Shri B. R. Vohra, I.A.S., Tea Adviser, London is provisionally granted earned leave for a period of 42 days with effect from the 2nd November, 1964, with permission to prefix Sunday the 1st November, 1964.

On expiry of leave, the services of Shri Vohra are placed at the disposal of the Government of Uttar Pradesh.

[No. 1(43)Plant(A)/62.]

New Delhi, the 14th December 1964

S.O. 4242.—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953) read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Shri M. L. Ghosh, Deputy Director, Reserve Bank of India, Calcutta, as a member of the Tea Board and makes the following further amendment in the notification of the Government of India in the late Ministry of Commerce and Industry No. S.O.1151 dated the 20th April, 1963, namely:—

In the said notification against item 32 for the words "Dr. V. R. Civrante, Deputy Director, Research section, Reserve Bank of India, Calcutta", the words "Shri M. L. Ghosh, Deputy Director, Reserve Bank of India, Calcutta" shall be substituted.

[No. 7(1)Plant(A)/62.]

S. BANERJEE, Dy. Secy.

(Office of the Jt. Chief Controller of Imports & Exports)

(Central Licensing Area)

ORDER

New Delhi, the 23rd October, 1964.

S.O. 4243.—Whereas M/s. Humber Sewing Machine Co., Industrial Area, Hastinapur or any bank or any other person have not come forward furnishing sufficient cause against Notice No. JCC/I(CLA)/118/64/2286, dated 26th September 1964, proposing to cancel licence No. P/SS/1520403/CXX18/CD/17-18, dated 17th December, 1963, for Import of Zig Zag Sewing Machine Parts for Rs. 32,400 granted to said M/s. Humber Sewing Machine Co., Industrial Area, Hastinapur by the Deputy Chief Controller of Imports and Exports (Central Licensing Area), Janpath Barracks 'B', New Delhi, Government of India in the Ministry of Commerce in exercise of the powers conferred by the clause 9 of the Import (Control) Order 1955, hereby cancel the said licence No. P/SS/1520403/CCXX18/CD/17-18, dated 17th December, 1963, issued to M/s. Humber Sewing Machine Co., Industrial Area, Hastinapur.

[No. JCC.I/I (CLA)/118/64/2669.]

S. K. SEN,

Jt. Chief Controller of Imports and Exports.

MINISTRY OF INDUSTRY & SUPPLY

(Department of Industry)

ORDER

New Delhi, the 11th December, 1964.

S.O. 4244/IDRA/18G/64.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951, (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order 1961, namely:—

1. This Order may be called the Cement Control (Eleventh Amendment) Order, 1964.

2. In the Schedule to the Cement Control Order, 1961, in the Table below paragraph (C) for the entry against Serial No. 1 the following entry shall be substituted, namely:—

TABLE

Name of Producer	Extra per	amount tonne	Date from which the addi- tional amount may be charged
"1. M/s. India Cements Ltd., Madras			
Talaiyuthu Works	Rs.	1.45	1st June, 1963.
	Rs.	1.15	1st July, 1964.
	Rs.	2.23	7th July, 1964.
	Rs.	4.62	1st September, 1964.
	Rs.	2.23	21st September, 1964.
	Rs.	4.62	1st November, 1964.
Sankaridrug Works.	Rs.	8.93	1st April, 1964.
	Rs.	7.71	1st July, 1964.

[No. 8-29/63-CEM.II].

R. K. RANGAN, Under Secy,

(Department of Industry)

ORDER

New Delhi, the 15th December 1964

S.O. 4245.—IDRA/6/17.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till 13th September, 1966, Dr. G. S. Sidhu, to be a member of the Development Council established by the Order of the Government of India in the Ministry of Industry and Supply No. S.O. 3332, dated the 14th September, 1964, for the scheduled industries engaged in the manufacture or production of Paper, Pulp and Allied Industries and directs that the following amendment shall be made in the said Order, namely:—

In the said Order, for entry No. 15 relating to Shri D. T. P. Whittaker, the following entry shall be substituted, namely:—

29. Dr. G. S. Sidhu, Director, Regional Research Laboratory, Hyderabad.

[No. 2(4)/Dev. Councils/64.]

S. P. KRISHNAMURTHY, Under Secy.

(INDIAN STANDARDS INSTITUTION)

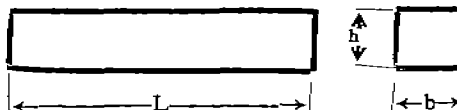
New Delhi the, 8th December, 1964

S . 4246.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962, & 1964, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard (s), given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. & Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1	IS: 351-1952 Specification for Insulating Varnish, Baking, Bitumen Type	S.R.O. 658 dated 26 March 1955	No. 2 August 1964	The fps values appearing in this Standard have been substituted by metric values. For the time being, the fps values have also been retained within brackets, wherever necessary, against the corresponding metric values.	Immediate effect
2	IS: 731-1963 Specification for Porcelain Insulators for Over-Head Power Lines (3.3 KV and above) (Revised)	S.O. 415 1 February 1964	No. 1 August 1964	(Sub-sub-clause 10.3.3.3 —Add the following note at the end: 'Note—In view of the difficulty being experienced at present in arranging test circuits for producing a flashover every few seconds, the following alternative procedure to the one mentioned above may be permitted till 31 December 1965 The text voltage shall be 90 percent of the dry flashover voltage. The voltage shall be maintained for a minimum period of 15 minutes or if failures occur for 15 minutes after the last punctured piece has been removed. Insulators which are damaged during the test shall be rejected. Streamer pattern formed during the electrical test may be observable, but it shall not disqualify the insulator for acceptance.'	Immediate effect

3	IS: 1054-1962 Specification for Dieldrin Emulsifiable Concentrates (<i>Revised</i>)	S.O. 483 dated 16 February 1964	No. 1 September 1964	(i) The existing sub-clauses 3.2.2 and 5.2.1 have been substituted by new ones. (ii) The existing Appendix B has been substituted by a new one. (iii) The existing sub-clause C-2.1.4 has been substituted by a new one.	Immediate effect
4	IS: 1444-1963 Specification for Engineers' Pattern Drawing Board (<i>Revised</i>)	S.O. 2877 dated 12 October 1963	No. 1 August 1964	New clauses 2.1.1, 3.1.2, 3.1.2.1, 3.1.2.2, 3.1.2.3, 3.1.2.4, 3.1.2.5, 3.1.2.6, 4.1.5 and 4.2.3 have been added.	Immediate effect
5	IS: 1482-1960 Specification for Metric Scales for Use with Drafting Machines	S.O. 570 dated 18 March 1961	No. 1 August 1964	(i) New clauses 1.3, 2.2 and 3.4 have been added. (ii) The existing clauses 3.1 and 5.1 have been substituted by new ones.	Immediate effect
6	IS: 1774-1961 Specification for Paper for Permanent Records	S.O. 2534 dated 28 October 1961	No. 1 September 1964	Clause 5.2, item(c)—Substitute the following for the existing item: (c) Weight in kg. per ream of 500 sheets including wrapping paper;	Immediate effect
7	IS: 2048-1962 Specification for Parallel Keys and Keyways	S.O. 2976 dated 29 September 1962	No. 1 October 1964	(Clause 5.1, line 2) (a) Substitute '58 kg/mm ² for '60 kg/mm ² ' (b) Delete the grade 'C35Mn 75'. (Sketch of Key in Table I)—Substitute the following for the existing sketch.	Immediate effect



(1)	(2)	(3)	(4)	(5)	(6)																					
(Table I)																										
(a) Column heading 'Tolerance on Keyway Depth'— <i>Substitute</i> the following for the existing column																										
For Shaft Above . .	6	8	10	12	17	22	30	38	44	50	58	65	75	85	95	110	130	150	170	200	230	260	290	330	380	440
Diameters Up to . .	8	10	12	17	22	30	38	44	50	58	65	75	85	95	110	130	150	170	200	230	260	290	330	380	440	500
Tolerance on t_1 . .	+0.1								+0.2								+0.3									
Keyway Depth t_1 . .	+0.1								+0.2								+0.3									
(b) Column heading 'Length of Key, L '																										
(1) Fourteenth value against 'Min'— <i>Substitute</i> '70' for '71'.																										
(2) Fifth value against 'Max'— <i>Substitute</i> '70' for '71'.																										
(Table II)																										
(a) Column heading 'Height (h)', twenty-third value— <i>Substitute</i> '36' for '63'.																										
(b) Column heading 'Preferred Length (L)', nineteenth row— <i>Substitute</i> '70' for '71'.																										

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg New Delhi-1 and also its branch offices at (i) 232 Dr. Dadabhoy Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2 and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5.]

New Delhi, the 9th December 1964

S.O. 4247.—In Licence No. CM/L-513 held by M/s. Jai Hind Trading Corporation, Delhi; the details of which are given in the Notification published under S.O. 2370 in the Gazette of India, Part II, Section 3(ii) dated 11th July 1964, the following has been added with effect from 1 December 1964:—

Single-Pole, One-Way, 5 Ampere Tumbler Switches, All Bakelite, 250 Volts.

[No. MD/12:840.]

ERRATA

New Delhi, the 14th December 1964

S.O. 4248.—In the Ministry of Industry and Supply (Indian Standards Institution) Notification dated 4 August 1964, published in the Gazette of India, Part II, Section 3, Sub-Section (ii) dated 3 October 1964, the following corrections may be made:

S.O. 3487

- (i) S. No. 11, Col. 7,
delete 'New Line'
- (ii) S. No. 12, Col. 6,
for 'Classes' read 'Class'.

[No. MD/33:16.]

D. V. KARMARKAR,
Joint Director (Marks).

MINISTRY OF STEEL AND MINES

(Department of Mines and Metals)

New Delhi, the 7th December 1964

S.O. 4249.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) No. S.O. 2973 dated the 4th December, 1961, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act 1957 (20 of 1957), the Central Government acquired 979.42 acres of land in Villages Harad, Badra, Keshra or Kushratola, Daikhal, Chohari and Kikripedi, Tahsil Sohagpur Distt. Sahdol (M.P.)

Whereas, Shri Bachu and Bharosa sons of Sri Jageshwar of Village Badra, Tahsil Sohagpur, Distt. Sahdol (M.P.), the interested persons under section 13 of the said Act, furnished their claim for compensation payable for acquisition of their lands before the competent authority;

And whereas the amount of compensation payable to them under the said act could not be paid owing to a dispute as to the title to receive it and also to the apportionment thereof.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri M. Z. Hasan, District and Sessions Judge, Bilaspur and refers the dispute to the said Tribunal.

[No. C2-20(22)/63.]

S.O. 4250.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and of all other powers enabling it in this behalf, the Central Government hereby rescinds the notification of the Government of India in the late Ministry of Mines and Fuel No. S.O. 463 dated the 25th January, 1964.

[No. C2-21(5)/63.]

S.O. 4251.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. 1514 dated the 2nd June, 1960 under section 9 of the Coal Bearing Areas

(Acquisition and Development) Act, 1957 (20 of 1957) the Central Government acquired 2632.88 acres of lands in villages Bishrampur, Bhilaikh, Barbaspur, Dadar, Dhelwadhi, Rapakhara, Orekhara and Kidridih, Tahsil Katghora, District Bilaspur;

Whereas Sri Bundeshwar, Amrit Lall and Nanki Ss/O Shri Sheonath of village Bishrampur, P.O. Korba, Tahsil Katghora Distt. Bilaspur (M.P.) the interested person under section 13 of the said Act, furnished his claim for compensation payable for acquisition of his lands before the competent authority;

And whereas, the amount of compensation payable to him under the said Act could not be paid owing to a dispute as to the title to receive it and also the apportionment thereof;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act the Central Government hereby constitutes a Tribunal consisting of Shri M. Z. Hasan, District and Session Judge, Bilaspur and refers the dispute to the said Tribunal.

[No. C2-20(26)/63.]

S.O. 4252.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. 1514 dated the 2nd June, 1960 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government acquired 2632.88 acres of lands in villages Bishrampur, Bhilaikh, Barbaspur, Dadar, Dhelwadhi, Rapakhara, Orekhara and Kidridih, Tahsil Katghora, District Bilaspur;

Whereas Sri Khageshwar Singh son of Sri Numayash Singh of village Bhilal-khurd, P.O. Korba, Tahsil Katghora, Distt. Bilaspur (M.P.) the interested person under section 13 of the said Act, furnished his claim for compensation payable for acquisition of his lands before the competent authority;

And whereas, the amount of compensation payable to him under the said Act could not be paid owing to a dispute as to the title to receive it and also the apportionment thereof;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act the Central Government hereby constitutes a Tribunal consisting of Shri M. Z. Hasan, District and Session Judge, Bilaspur and refers the dispute to the said Tribunal.

[No. C2-20(26)/63.]

S.O. 4253.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. 1514 dated the 2nd June, 1960 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government acquired 2632.88 acres of lands in villages Bishrampur, Bhilaikh, Barbaspur, Dadar, Dhelwadhi, Rapakhara, Orekhara and Kidridih, Tahsil Katghora, District Bilaspur;

Whereas Sri Fanesh son of Sri Mahabir of village Bishrampur, P.O. Korba, Tahsil Katghora, Distt. Bilaspur (M.P.) the interested person under section 13 of the said Act, furnished his claim for compensation payable for acquisition of his lands before the competent authority;

And whereas, the amount of compensation payable to him under the said Act could not be paid owing to a dispute as to the title to receive it and also the apportionment thereof;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act the Central Government hereby constitutes a Tribunal consisting of Shri M. Z. Hasan, District and Session Judge, Bilaspur and refers the dispute to the said Tribunal.

[No. C2-20(26)/63.]

New Delhi, the 11th December 1964

S.O. 4254.—Whereas by the notification of the Government of India in the late Ministry of Steel, Mines and Heavy Engineering (Department of Mines and Metals) S.O. 1523 dated the 27th April, 1964 under Sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands and rights in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report and after consulting the Government of Bihar is satisfied that--

- (a) the lands measuring 0.88 acres (approximately) or 0.36 hectare (approximately) described in Schedule A appended hereto; and
- (b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 198.00 acres (approximately) or 80.19 hectares (approximately) described in Schedule B appended hereto;

should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 0.88 acre (approximately) or 0.36 hectare (approximately) described in the said Schedule A and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 198.00 acres (approximately) or 80.19 hectares (approximately) described in the said Schedule B are hereby acquired.

The plans of the area covered by this Notification may be inspected in the Office of the Deputy Commissioner, Hazaribagh (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the National Coal Development Corporation Limited (Revenue Section), "Darbhanga House", Ranchi.

SCHEDULE A
Azada Block Extn.
(Sub-Block B)

Drg. No. Rev/50/64
Dated the 17th June 1964
(showing lands acquired)

All ri

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hesla	Mandu	138	Hazaribagh		Part.
Total :- 0.88 acre (Approx.) or 0.36 hectare (Approx.)						

Plot Nos. acquired in village Hesla:

1(P) and 150(P).

Boundary Description:

E—L line passes through Plot No. 150 in village Hesla and meets at point 'L'.

L—K line passes through Plot Nos. 150 and 1 in village Hesla (which is the part common boundary of Mining Rights) and meets at point 'K'.

K—F line passes through plot no. 1 in village Hesla (which is the part common boundary of Azada Sub-Block-A (All Rights) notified U/S 7(1) of the Coal Act vide S.O. No. 3044 dated 5th September 1963] and meets at point 'F'.

F—E line passes through plot nos. 1 and 150 in village Hesla (which is the part common boundary of Mining Right) and meets at point 'E'.

SCHEDULE 'B'

(showing lands where rights to mine, quarry, bore, dig & search for, win, work and carry away minerals are acquired)

'Mining Rights'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hesla	Mandu	138	Hazaribagh		Part.
2.	Manuan	"	139	"		"
3.	Chapri	"	140	"		"
						Total : 198.00 (Approximately) or 80.19 hectares (Approximately)

Plots Nos. acquired in village Hesla:

1(P), 2, 3(P), 4(P), 150(P), 151(P), 961(P), 962, 963, 964 & 966(P).

Plot Nos. acquired in village Manuan:

47(P) and 120(P).

Plot Nos. acquired in village Chapri:

530(P), 611(P), 626(P), 720, 722 & 723.

Boundary Description:

- A—B line passes along the part common boundary of villages Chapri and Argada and meets at point 'B'.
- B—C line passes along the part Eastern bank of the Nala in village Chapri and meets at point 'C'.
- C—D line passes along the part Eastern bank of the Nala in village Hesla and meets at point 'D'.
- D—E line passes along the southern boundary of plot No. 964 and through plot Nos. 966, 961, 3, 4 and 150 in village Hesla and meets at point 'E'.
- E—F line passes through plot Nos. 150 and 1 in village Hesla (which is the part common boundary of All Right) and meets at point 'F'.
- F—G—H—I—J—K line passes along the part common boundary of Argada sub-block-A (All Right) notified U/S 7(1) of the Coal Act vide S.O. No. 3044 dated 5th September 1963 in villages Hesla and Manuan and meet at point 'K'.
- K—L line passes through plot Nos. 1 and 150 in village Hesla (which is the part common boundary of All Right) and meets at point 'L'.
- L—M—N line passes through Plot Nos. 150, 151, 150 and 1 in village Hesla and through Plot Nos. 120 and 47 in village Manuan and meets at point 'N'.
- N—A line passes through plot no. 47 in village Manuan, through plot no. 626 village Chapri, through plot No. 1 in village Hesla and again through plot nos. 626, 611 and 530 in village Chapri and meets at point 'A'.

[No. C2-20(10)/64.]

K. SUBRAHMANYAN, Under Secy.

MINISTRY OF PETROLEUM & CHEMICALS

New Delhi, the 5th December 1964

S.O. 4255.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Oil Corporation Ltd., and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Special Land Acquisition Officer, C/o Indian Oil Corporation Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Santhal Parganas		Thana—Madhupur	
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre	
Paharpur No. 301	702	0.18	Pahartali No. 185— <i>Contd.</i>	153	0.002	
	703	0.18		156	0.02	
	705	0.22		157	0.005	
	706	0.03				
Pahartali No. 185	2	0.10	Mohanpur No. 216	134	0.02	
	23	0.06		133	0.05	
	29	0.05		139	0.152	
	30	0.02		144	0.10	
	34	0.03		151B	0.02	
	35	0.02		239	0.095	
	49	0.03		140	0.04	
	48	0.015		246	0.12	
	46	0.045		245	0.005	
	47	0.06		244	0.06	
	77B	0.11		243	0.03	
	44	0.002		242	0.13	
	45	0.005		256	0.13	
	101	0.06		257	0.13	
	102	0.008		258	0.09	
	103	0.005		259	0.19	
	104	0.005		8	0.14	
	105	0.005		274	0.005	
	139	0.05				
	133	0.025				
	135	0.01				
	127	0.005				
	155	0.003				
				Garya No. 212	805	0.01
			Gangomarni No. 127	15	0.17	
				I	0.03	

[No. 31/47/63-ONG.]

S.O. 4256.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar Oil-field in Gujarat State to Baroda in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent authority at Elampeco, 4th Floor Sayajiganj Opp. College Lokmanya Tilak Road, Baroda in the office of the Gujarat Pipeline Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE I

State	District	Taluka
GUJARAT	KAIRA	ANKLESHWAR

Village Survey No. Acre Guntha Sq. Yds.

Divā	175/2	0	16	86
Adol.	394	0	6	83
„	602/1	0	3	40
„	602/2	0	6	21
Panod.	69	0	12	104

[No. 31(38)/63-ONG.]

CORRIGENDUM

New Delhi, the 5th December 1964

S.O. 4257.—In the schedule to the notification of Government of India, in the Ministry of Petroleum and Chemicals S.O. No. 357 dated the 18th January, 1964 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 1st February, 1964.

- I. at page 382 and at village Divā
(i) omit S. No. 175/3.
- II. at page 383 and at village Adol
(i) for 'S. No. 394 + 354/2' read "354/2"
- III. at page 384 at village Adol
(i) for 'S. No. 602' read "602/1"
- IV. at page 382 at village Panod
(i) omit S. No. 79.

[No. 31(38)/63-ONG.]

P. P. GUPTA, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

New Delhi, the 8th December 1964

S.O. 4258.—In exercise of the powers conferred by section 42 of the Warehousing Corporations Act, 1962 (58 of 1962), the Central Warehousing Corporation, with the previous sanction of the Central Government, hereby makes the following further amendment to the Central Warehousing Corporation Employees' Provident Fund Regulations, 1962, namely:—

In regulation 22 of the said Regulations, for the words "amend, vary or rescind" the words "amend or vary" shall be substituted.

[No. F-35/82/59-SG.II.]

P. KRISHNAMURTHI, Under Secy.

(Department of Agriculture)

New Delhi, the 8th December 1964

S.O. 4259.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the General Central Services Class I and Class II Posts (Central Mechanised Farm, Suratgarh) Recruitment Rules, 1959, namely:—

1. These rules may be called the General Central Services Class I and Class II Posts (Central Mechanised Farm, Suratgarh) Recruitment (Amendment) Rules, 1964.

2. In the General Central Services Class I and Class II Posts (Central Mechanised Farm, Suratgarh) Recruitment Rules, 1959, after rule 5, the following rule shall be inserted, namely:—

“6. *Liability to serve in defence services and posts connected with defence.*—Every person appointed to the post of (i) Operational Manager (Mechanical), (ii) Assistant Mechanical Engineer, or (iii) Stores Officer, after the commencement of the General Central Services Class I and Class II Posts (Central Mechanised Farm, Suratgarh) Recruitment (Amendment) Rules, 1964, shall, if so required, be liable to serve in any defence service or post connected with the defence of India for a period of not less than four years including the period spent on training, if any:

Provided that such person—

(a) shall not be required to serve as aforesaid after the expiry of ten years from the date of such appointment;

(b) shall not ordinarily be required to serve as aforesaid after attaining the age of forty years.”.

[No. 8-35/64-FR-1098.]

A. C. JAIN, Under Secy.

(Department of Agriculture)

New Delhi, the 8th December, 1964.

S.O. 4260.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules to amend the Ginger Grading and Marking Rules, 1964, the same having been previously published as required by the said section, namely:—

RULES

1. These rules may be called the Ginger Grading and Marking (Amendment) Rules, 1964.

2. In the Ginger Grading and Marking Rules, 1964, in column 4 of Schedules III, V, VII and IX—

(a) in the heading for the words “by count” the brackets and words “(by weight)” shall be substituted;

(b) for the figures “5” and “10” the figures “4” and “6” shall respectively be substituted.

[No. F. 17-12/64-AM.]

New Delhi, the 11th December 1964

S.O. 4261.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules further to amend the Tobacco Grading and Marking Rules, 1937, the same having been previously published as required by the said section, namely:—

1. These Rules may be called the Tobacco Grading and Marking (Amendment) Rules, 1964.

2. In the Tobacco Grading and Marking Rules, 1937,—

(1) in rule 7, for the figures "XV", the figures "XVII" shall be substituted;

(2) in schedule II—

(a) after grade designation 2 and the entries relating thereto, the following grade designations and entries shall be inserted, namely:—

1	2	3	4
"AF*	Bright lemon and/or bright orange and/or yellow to light orange.	Fine to Medium.	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 45 per cent and the balance of Agmark grade 3.
AS*	Do.	Do.	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 30 per cent and the balance of Agmark grade 3.
AT*	Do.	Do.	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 15 per cent and the balance of Agmark grade 3."

(b) after grade designation 3 and the entries relating thereto the following grade designation and entries shall be inserted, namely :—

1	2	3	4
"FLG	Bright lemon and/or bright orange and/or yellow to light orange with light green cast on the veins, mid-ribs, periphery and tips.	Fine to medium.	Good body leaves or strips having the characteristics of Agmark grades 1, 2, 3 and 4 separately or mixed with light green cast as specified in column 2. Patches of deeper shades of greenish or brownish cast or other blemish altogether shall not exceed 10 per cent of the total area. "

(c) for paragraph (ii) of the footnote marked @, the following paragraph shall be substituted, namely:—

"(ii) The expression "C" shall be applicable to the middle grade of the three consecutive grades. The middle grade shall be the principal grade and it shall not be less than 70 per cent of the total weight. The next lower grade to the principal grade shall not exceed 15 per cent of the total weight."

(d) after the footnote marked ‡, the following footnote shall be inserted, namely:—

*The grade designations will be applicable under the following conditions:—

(i) That the tobacco is sold only to a recognised manufacturer of tobacco products against definite orders;

(ii) That the tobacco shall not be sold in the market;

- (iii) That the tobacco is sold at a price calculated on the basis of proportions of three constituent grades and their prevailing prices;
- (iv) That the word "General" is added to each of these grades if the proportion of Agmark grade 1 in the total composite packing is 4 per cent and above, but is below 10 per cent, and the word "Special" if the proportion of Agmark grade 1 in the total composite packing is 10 per cent and above.";

3. in Schedule IV—

- (a) after the grade designation CG and the entries relating thereto, the following grade designations and entries shall be inserted, namely:—

1	2	3	4
"SB@	Brown or Dark or Mixed.	Good body & Texture.	It shall consist of bits (not less than 50·8 mm. in length) obtained from whole leaves after discarding 'butt' and 'tip' ends. It shall be free from dust, other extraneous matter and moulds. Blemish due to breakage, handling, insect attack and spot disease (frog eye) shall not exceed 4/10th of the surface.
SB2@	Do.	Medium body & medium to fair texture.	Do.
SBM@	Do.	Good to medium texture.	It shall consist of strands or shreds (not less than 25·4 mm. in length and 2·1 mm. in width) obtained from whole leaves.";

- (b) after the footnote marked ‡ the following shall be inserted, namely:—

"@ Applicable to sweated tobacco";

4. in Schedule XII—

- after grade designation (L) GB and the entries relating thereto, the following grade designation and entries shall be inserted, namely:—

1	2	3	4
'Folc	Mixed		Broken pieces of leaves of Lal Chopadla more than 12·7 mm. in size not less than 60% of the total weight; flakes of this size and stems together not less than 80% of the total. It shall be free from foreign matter.";

5. in Schedule XIII—

- (a) after the grade designation JBY and the entries relating thereto, the following grade designation and entries shall be inserted, namely:—

1	2	3	4
JDB	Dark Brown with medium spangling	Medium	Good body leaves with medium aroma with or without greenish tinge at veins. Blemish up to 15% of the total area.";

(b) after the grade designation JGB and the entries relating thereto, the following grade designation and entries shall be inserted, namely:—

1	2	3	4
Folc	Mixed		Broken pieces of leaves of Jud more than 12·7 mm. in size not less than 60% of the total weight; flakes of this size and stems together not less than 80% of the total. It shall be free from foreign matter.”;

6. in Schedule XIV—

(a) for the heading, the following heading shall be substituted, namely:—
“Grade designation and definition of quality of unmanufactured sun-cured
Natu bidi tobacco flakes and stems”;

(b) against the grade designation “processed”.

(i) for the entries in the Column relating to “colour”, the following shall
be substituted, namely:—

“Greenish to dark green or yellowish to dark brown or mixed”.

(ii) in the entry in the column relating to “size”, the following shall be
added at the end, namely:—

“Khandl (stems) shall not exceed 10% of the total weight.”;

(c) against the grade designation “Semi-processed” for the entries in the
column relating to “colour”, the following shall be substituted, name-
ly:—

“Greenish to dark green or yellowish to dark brown or mixed”.

(d) after the grade designation “Semi-processed” and the entries relating
thereto, the following grade designations and entries shall be in-
serted, namely:—

1	2	3	4
Raw	Greenish to dark green or yellowish to dark brown or mixed.	Medium to Coarse.	Between 0·85 mm. and 1·59 mm. in size and free from foreign matter.
4. Stems**	Stems shall consist of mid- ribs of leaves of bidi tob- acco only between 6·35 mm. and 127 mm. in length and free from foreign matter. Butts and bark shall not exceed 10 per cent.”;

(e) for footnotes 1 and 2 the following footnotes shall be substituted,
namely:—

“1. “6·35 mm. 1·59 mm. and 0·85 mm. mean not more than 4th or 16th or
30th square or circular aperture per linear 25·4 mm. respectively.

2. To allow for accidental errors in grading, a tolerance of 5% of tobacco
not conforming to the specifications will be tolerated in grades
‘Processed’ and ‘Semi-processed’.

**3. The grade designation shall be marked provided the sale is against
a ‘firm order’ from the buyer, the phrase ‘firm order’ meaning that
either the whole of the purchase money is to be paid in advance in
cash or is guaranteed in some other way.”;

7. Schedule XV shall be renumbered as Schedule XVII and before Schedule XVII as so renumbered, the following Schedules shall be inserted, namely:—

"SCHEDULE XV

(See rules 2 and 3)

Grade designations and definition of quality of unmanufactured sub-cured Black Chopadia tobacco.

SPECIAL CHARACTERISTICS			
Grade Designation	Colour	Texture	Body and Condition
(B) DB	Dark Brown	Medium	Good body leaves with fine aroma blemish* upto 10 per cent of the total area.
(B) D	Dark	Medium to Coarse.	Do.
(B) GD	Greenish Dark	Do.	Do.
Fole	Mixed	Broken pieces of leaves of Black Chopadia more than 12.7 mm in size not less than 60% of the total weight; flakes of this size and stems together not less than 80 % of the total. It shall be free from foreign matter.

*Blemish includes damage due to disease, spots, sunburn and breakage in handling.

1. To allow for accidental errors in grading a tolerance of 5 per cent of leaves corresponding to the specifications in the next lower grade will be allowed.

2. In the case of 'hands' (leaf bundles) the customary placement of small leaves and bits shall be tolerated to the extent of 20 per cent.

SCHEDULE XVI
(See rules 2 and 3)

Grade designations and definition of quality of unmanufactured sun-cured Calcuttia (*Nicotiana rustica*) tobacco.

SPECIAL CHARACTERISTICS			
Grade Designation	Colour	Texture	Body and Condition
C(BY)	Brownish Yellow with heavy spangling on the leaf.	Thick	Good body leaves with fine aroma. Blemish* upto 5 per cent of the total area.
C(DB)	Dark brown with medium spangling.	Medium	Good body leaves with medium aroma. Blemish* upto 15 per cent of the total area.
C(GB)	Greenish brown with or without spangling.	Medium	Good body leaves with medium aroma. Blemish* upto 20 per cent of the total area.
Fole	Mixed	Broken pieces of 'Calcuttia' leaves of tobacco more than 6.35 mm in size and free from foreign matter.

*Blemish includes damage due to disease, spots, sunburn and breakage in handling. In the first two grades, greenish patches are also considered as blemish. Greenish tinge at veins is, however, not considered as blemish.

1. To allow for accidental errors in grading, a tolerance of 5 per cent of leaves corresponding to the specifications of the next lower grade will be allowed.

3. In the case of 'hands' (leaf bundles) the customary placement of small leaves and bits shall be tolerated to the extent of 20 per cent."

[No. F. 13-6/63-AM.]

SANTOKH SINGH, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 8th December, 1964

S.O. 4262.—The following amendments to the Indian Central Cotton Committee Provident Fund Rules, made by the Indian Central Cotton Committee in exercise of the powers conferred by section 16 of the Indian Cotton Cess Act, 1923 (14 of 1923) and with the previous sanction of the Central Government, are hereby published as required under section 17 of the said Act, namely:—

1. In the said rules—

(1) in rule 10, the words "not debitable to the Lapse and Forfeiture Account under rule 13" shall be omitted;

(2) for rule 12, the following rule shall be substituted, namely:—

"12. (1) On the 31st day of March in every year the investments of the fund shall be valued and any difference between the value so found and the value of the same investments on the preceding 31st day of March and any difference between the value so found of any investments purchased during the preceding 12 months and the purchase price of such investments, shall be transferred to a separate account to be called "the Investment Fluctuation Account".

(2) Any profit accruing from any of the said investments shall be credited to the Investment Fluctuation Accounts.

(3) Where the Committee is of opinion that the amount to the credit of the Investment Fluctuation Account is sufficient to meet any possible loss or depreciation of or in the said investments, the surplus, if any, may be divided amongst the members in such proportion as the Committee may decide.

(4) When the value of the investments has depreciated as a result of which the amount in the Investment Fluctuation Account stands at debit and the amount standing to the credit of a member becomes payable, the amount so payable shall be reduced by a sum that bears the same proportion to the sum standing to his credit as the amount standing to the debit of the Investment Fluctuation Account bears to the value of the said investments as found on the preceding 31st day of March.

(5) When the value of the investments has appreciated as a result of which the amount in the Investment Fluctuation Account stands at credit and the amount standing to the credit of a member becomes payable only the amount standing to the credit of the member shall be payable to him."

(3) rule 13 shall be omitted;

(4) in rule 14—

(i) in sub-rules (1) and (3), for the words "transferred to the Lapse and Forfeiture Account", the words "paid to the Committee" shall be substituted;

- (ii) in sub-rule (3), for the portion beginning with the words "When the amount" and ending with the words "five years therein", the following shall be substituted, namely:—

"When the amount standing to the credit of a member becomes payable before he has completed five years' service under the Committee,";

- (5) after rule 16, the following rule shall be inserted, namely:—

"16A. (1) Subject to the conditions hereinafter specified, final withdrawals may be sanctioned at any time after the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation whichever is earlier, from the amount standing to his credit in the fund, for one or more of the following purposes, namely:—

- (a) for meeting the cost of higher education including, where necessary, the travelling expenses of any child of the subscriber in the following cases, namely:—

(i) for education outside India for academic, technical, professional or vocational course beyond the High School stage, and

(ii) for any medical, engineering or other technical or specialised course in India, beyond the High School stage, provided that the course of study is not for less than three years;

- (b) for meeting the expenditure in connection with the marriage of the subscriber's sons or daughters and, if he has no daughter, of any other female relation dependent on him;

- (c) for meeting the expenses in connection with the illness, including, where necessary, the travelling expenses of the subscriber or any persons actually dependent on him;

- (d) for building or acquiring a suitable house for his residence, including the cost of the site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for withdrawal, but not earlier than twelve months of that date or reconstructing or making additions or alterations to a house already owned or acquired by a subscriber;

- (e) for purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date;

- (f) for constructing a house on a site purchased utilising the sum withdrawn under clause (e):

Provided that a subscriber who has availed himself of an advance under the scheme of the late Ministry of Works, Housing and Supply for the grant of advances for house-building purpose, or has been allowed any assistance in this regard from any other Government source, shall not be eligible for the grant of final withdrawal under clauses (d), (e) and (f) of this sub-rule except for the express purpose of repayment of any loan taken under the aforesaid scheme or from the aforesaid source.

- (2) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in sub-rule (1), from the amount of his subscription and interest thereon standing to his credit in the fund shall not ordinarily exceed one half of such amount or six months' pay, whichever is less:

Provided that the sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to three-fourths of the balance at his credit in his fund having regard to (i) the object for which the withdrawal is being made (ii) the status of the subscriber and (iii) the amount to his credit in the fund.

- (3) A subscriber who has been permitted to withdraw money from the fund under sub-rule (1) shall satisfy the sanctioning authority within such period as may be specified by that authority that the money

has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn, shall forthwith be repaid in one lumpsum together with the interest thereon at the rate specified in rule 16(e)(iii) by the subscriber to the fund, and in default of such payment, the amount shall be recovered from his emoluments, either in a lumpsum or in such number of monthly instalments, as may be determined by the sanctioning authority.

- (4) Nothing in sub-rule (3) shall be deemed to require a subscriber whose deposits in the fund carry no interest, to pay any interest on any sum repayable by him under that sub-rule.
- (5) A subscriber who has already drawn or may draw in future an advance under rule 16 for any of the purposes specified in clauses (a), (b) and (c) of sub-rule (1) of rule 16A may, at his discretion, apply in writing to the Secretary to the Committee, for final withdrawal of the balance outstanding to his credit on his satisfying the conditions laid down for the grant of such withdrawal."
- (6) In rule 21, in sub-rule (2), for the words "Lapse and Forfeiture Account constituted under rule 13" the words and figures "Investment Fluctuation Account referred to in rule 12" shall be substituted;
- (7) after rule 21, the following rule shall be inserted, namely:—

"22. Notwithstanding the omission of rule 13 by the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. 1-78/62-Com. III dated 8th, December, 1964, any amount standing to the credit of the 'Lapse and Forfeiture Account' referred to in that rule and left unutilised immediately before such omission, shall continue to be utilised for the purposes mentioned in that rule as it stood before such omission".

[No. 1-78/62 Com. III.]

N. K. DUTTA, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

अधिसूचना

नयी दिल्ली, ता 30-11-64

एस० एन० 4263.—रेल यात्रियों पर चुंगी कर अधिनियम 1956 (1956 का 69) की धारा 3 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए और भारत सरकार के रेल-मंत्रालय (रेलवे बोर्ड) की 18 जुलाई, 1961 की अधिसूचना सं० एफ० (एक्स) 11-57/टी-एक्स-19/12-11 को रद्द करते हुए केन्द्रीय सरकार

(क) नीचे की अनुसूची के कालम (2) में उल्लिखित दरें निर्धारित करती हैं। कथित अनुसूची के कालम (1) में जिन स्टेशनों के नाम दिये गये हैं उन के बीच रेलवे द्वारा ढोये गये सभी यात्रियों पर हर रेलवे टिकट में चुंगी इन्हीं दरों पर ली जायेगी।

(ख) निवेश करती हैं कि पूर्वोक्त चुंगी 1 जनवरी, 1965 से ली जायेगी

2. वह अधिसूचना 1 जनवरी, 1965 से लागू होगी।

अनुसूची

निर्दिष्ट स्टेशनों के नाम	हर एकल टिकट पर चुंगी की दर			
(1)	(2)			
वयस्क	3 और 12 वर्ष के बीच के बच्चे			
कम दूरी वाले यात्रियों के लिए (41-150-मील या 66-242 किलोमीटर)	अधिक दूरी वाले यात्रियों के लिए (150 मील या 242 किलोमीटर से अधिक)	कम दूरी वाले यात्रियों के लिए (41-150 मील या 66-242 किलोमीटर)	अधिक दूरी वाले यात्रियों के लिए (150 मील या 242 किलोमीटर से अधिक)	
इलाहाबाद जं०	वातानुकूल या			
इलाहाबाद सिटी	पहला दर्जा			
वाराणस				
नैनी नं०	1.00	1.50	0.50	0.75
प्रयाग				
प्रयाग घाट	दूसरा दर्जा 0.60	1.00	0.25	0.50
(जब खुले)				
फाफामऊ	तीसरा दर्जा			
सुबेदार गंज	0.20	0.40	0.10	0.20
बम्हरोली				

स्पष्टीकरण : वापसी टिकट पर यहां निर्धारित दरों की दूनी चुंगी ली जायेगी ।

सं० एक (एक्स) I-64/टी एक्स-19/14

पी० सी० मीथ्यू

सचिव, रेलवे बोर्ड ।

MINISTRY OF TRANSPORT

(Transport Wing)

PORTS

New Delhi, the 11th December 1964.

S.O. 4264.—In pursuance of sub-section (2) of Section 6 of the Calcutta Port Act, 1890 (III of 1890) it is hereby notified that in accordance with the provision of Section 16 of the said Act, Mr. J. Chopra of Burmah Shell Oil Storage and Distributing Co., of India Ltd., has been elected by the Bengal Chamber of Commerce and Industry, Calcutta to be their representative to serve on the Calcutta Port Commission *vice* Mr. A. I. Murison, resigned.

[No. 9-PG(87/64).]

R. RANGARAJAN, Under Secy.

New Delhi, the 14th December 1964

S.O. 4265.—In exercise of the powers conferred by sub-section (1) of section 218 of the Merchant Shipping Act, 1958 (44 of 1953), read with rules 3 and 4 of the National Welfare Board for Seafarers Rules, 1963, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Transport (Transport Wing) No. S.O. 3482, dated the 13th December, 1963, namely:—

In the said notification, for entry 39, the following entry shall be substituted, namely:—

“39. Captain R. J. Ward,
C/o
Messrs India Steamship Ltd.,
Calcutta.

} Representative of Societies interested
in the Welfare of Seamen.”

[No. 6-MT(64)/62.]

HARBANS SINGH, Under Secy.

DEPARTMENT OF COMMUNICATION

(P. & T. Board)

New Delhi, the 10th December 1964.

S.O. 4266.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st February, 1965, as the date on which the Measured Rate System will be introduced in Tanjore Telephone Exchange.

[No. 31/30/64-PHB.]

S. RAMA IYER,

Asstt. Director General (PHT).

(Civil Aviation Department)

(Office of the Director General of Civil Aviation)

New Delhi, the 11th December 1964

S.O. 4267.—In exercise of the powers conferred by the proviso to rule 13 of the Indian Aircraft Rules, 1937, the Director General of Civil Aviation hereby directs that the restrictions under the said rule relating to photography from the ground shall not apply to such photography at the Government aerodromes mentioned in the Schedule hereto annexed.

THE SCHEDULE

Serial Number	Name of Aerodrome
(1)	(2)
1.	Bombay (Santa Cruz).
2.	Calcutta (Dum Dum).
3.	Agartala.
4.	Ahmedabad.
5.	Delhi (Safdarjung).
6.	Madras (St. Thomas Mount)
7.	Nagpur.

(1)	(2)
8.	Tiruchirappalli.
9.	Amritsar.
10.	Aurangabad.
11.	Balurghat.
12.	Baroda.
13.	Belgaum.
14.	Bhavnagar.
15.	Bhuntar (Kulu).
16.	Bhopal.
17.	Bhubaneswar (Cuttack).
18.	Bhuj.
19.	Bombay (Juhu).
20.	Coimbatore.
21.	Cooch-Bihar.
22.	Gaya.
23.	Indore.
24.	Jaipur.
25.	Junagadh (Keshod).
26.	Kailashahar.
27.	Kamarpur.
28.	Kandla.
29.	Khowai.
30.	Kumbhirgram.
31.	Lucknow (Amausi).
32.	Madurai
33.	Mangalore (Bajpe).
34.	Mohanbari.
35.	North Lakhimpur (Lilabari).
36.	Passighat.
37.	Patna.
38.	Phoolbagh.
39.	Porbandar.
40.	Port Blair.
41.	Rajkot.
42.	Ranchi.
43.	Rupsi.
44.	Trivandrum.

(1)	(2)
45.	Tulihar.
46.	Udaipur.
47.	Varanasi (Banaras).
48.	Visakhapatnam.
49.	Akola.
50.	Behala.
51.	Bilaspur.
52.	Chakulia.
53.	Cuddappah.
54.	Donakonda.
55.	Jhansi.
56.	Jharsuguda.
57.	Jabalpur.
58.	Kanpur (Civil).
59.	Khandwa.
60.	Kolhapur.
61.	Kotah.
62.	Lalitpur.
63.	Malda.
64.	Muzaffarpur (Bewaghat).
65.	Mysore.
66.	Palanpur (Dessa).
67.	Panagarh.
68.	Panna.
69.	Raipur.
70.	Rajamundry.
71.	Ramnad.
72.	Satna.
73.	Shella.
74.	Sholapur.
75.	Tanjore.
76.	Vellore.
77.	Vijayawada.
78.	Warangal.

[No. F. 9/34/63-IR.]

R. N. KATHJU,

Director General of Civil Aviation.

MINISTRY OF EDUCATION

(Department of Education)

ARCHAEOLOGY

New Delhi, the 9th December 1964

S.O. 4268.—Whereas by notification of the Government of India in the Ministry of Education No. F.4-23/64.C.1, dated the 4th August, 1964, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 22nd August, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

And whereas no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

SCHEDULE

Sl. No.	State	District	Tehsil	Local	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Mysore	North Kanara	Siddapur	Bilgi	Old Jain temple locally known as Ratnatraya Basadi together with adjacent area comprised in survey plot Nos. 227/2 and 227/1B.	Survey plot Nos. 227/2 and 227/1B.	2 acres and 4 gunthas.	North:—Road East:—Survey plot No. 226. South:—Survey plot No. 227/1A West:—Survey plot No. 94	Private	Two inscriptions in the temple are already protected.

[No. F.4-23/64.C.1.]

S.O. 4269.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Taluk/ Sub-division	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
	Orissa	Cuttack	Athgarh	Simhanatha Pitha Mauza Gopinathpur	Simhanatha Mahadeva temple together with adjacent land comprised in Survey plot Nos. 4212, 4213, 4216, 4217, 4218, 4219, 4220, 4221, 4222, 4223, 4224, 4225, 4226, 4227 and 4228.	Whole of survey plot Nos. 4212, 4213, 4216, 4217, 4218, 4219, 4220, 4221, 4222, 4223, 4224, 4225, 4226, 4227 and 4228	18.54 acres	North:—River Mahanadi East:—River Mahanadi South:—River Mahanadi and Survey plot Nos. 4214 and 4215 West:—River Mahanadi and Survey plot No. 4211.	Survey plot Nos. 4212, 4216, and 4217-Government Remaining Simhanatha Mahadeva.	The temple is under worship

[No. F.4-27/64-Cl.]

S.O. 4270.—Whereas the Central Government is of opinion that the ancient site specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient site to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient site will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Uttar Pradesh	Basti	Bansi	Jungle Belhar	Ancient site comprised in sub-plot Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of survey plot No. 298, survey plot Nos. 340, 342, sub-plot Nos. 2 & 3 of survey plot No. 343, sub-plot Nos. 1, 2 & 3 of survey plot No. 338, sub-plot Nos. 1, 2, 3 & 4 of survey plot No. 339.	Sub-plot Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of survey plot No. 298, survey plot Nos. 340, 342: sub-plot Nos. 2 & 3 of survey plot No. 343: sub-plot Nos. 1, 2, and 3 of Survey plot No. 338: sub-plot Nos. 1, 2, 3 & 4 of survey plot No. 339	32.20 acres	<p><i>North</i>:—Survey plot No. 299: sub-plot No. 2 of survey plot No. 298 and survey plot No. 5-kacha road.</p> <p><i>East</i>:—Survey plot Nos. 31, 32, 297, 296, 298, 344, 347 and 348.</p> <p><i>South</i>:—Survey plot No. 350 and river Ami.</p> <p><i>West</i>:—Survey plot Nos. 320, 337 and river Ami.</p>	Sub-plots Nos. 10, 13 of survey plot No. 298: sub-plot No. 3 of survey plot No. 338: sub-plot No. 4 of survey plot No. 339: survey plot Nos. 340, 342 and sub-plot No. 3 of survey plot No. 343:—(Banjar) State Government owned and remaining under private ownership.	The area is free from modern construction.

[No. F.4-31/64-Cl.]

New Delhi, the 10th December 1964

S.O. 4271.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

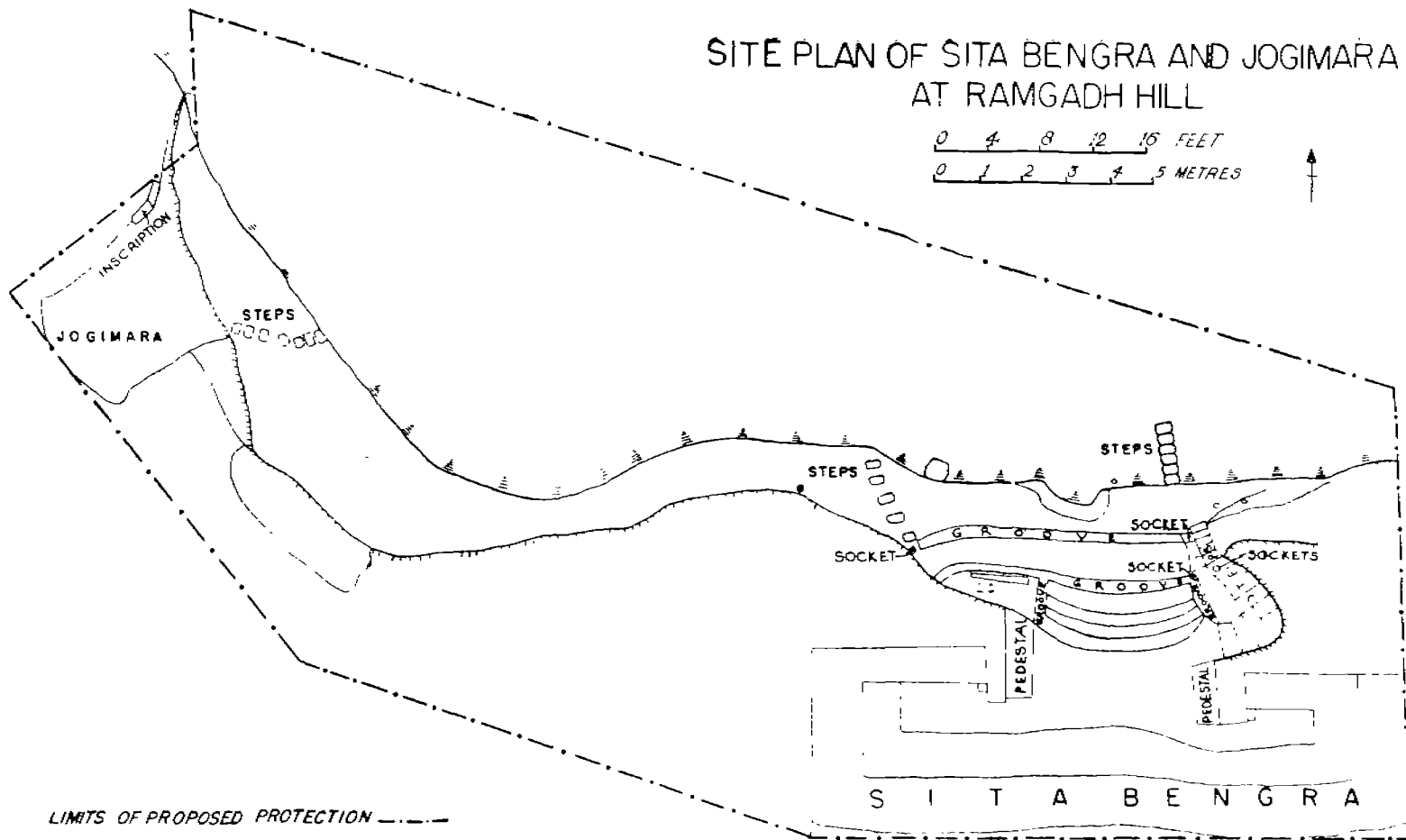
Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Madhya Pradesh	Surguja	Ambikapur	Ramgadh hill	Sita-Bengra and Jogimara rockcut caves together with adjacent area of the hill as shown in the plan reproduced below	The area is unsurveyed	0.26 acres.	North:—Reserve forest area East:—Remaining portion of the hill South:—Remaining portion of the hill West:—Remaining portion of the hill	State Government	..

SITE PLAN OF SITA BENGRA AND JOGIMARA AT RAMGADH HILL

0 4 8 12 16 FEET
0 1 2 3 4 5 METRES



[No. F.4-36/64-C1.]

S.O. 4272.—Whereas the Central Government is of opinion that the ancient site specified in the Schedule attached hereto is of national importance.

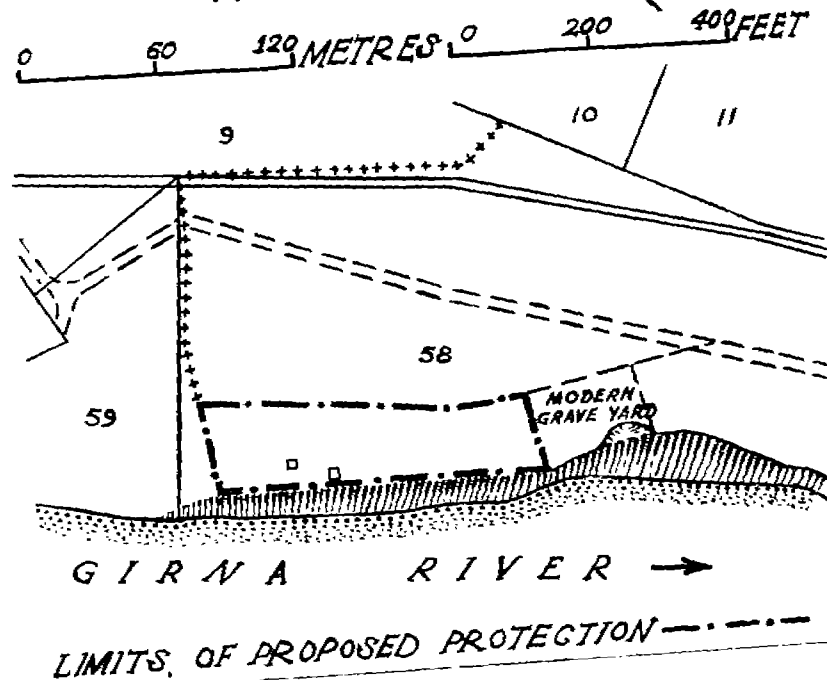
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient site to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient site will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Maharashtra	Jalgaon	Chalisgaon	Tekwada	Ancient site and remains comprised in part of survey plot No. 58	Part of Survey plot No. 58 as shown in the plan reproduced below	1 Acre and 12 Gunthas.	North:—Remaining portion of Survey plot No. 58. East:—Remaining portion of survey plot No. 58. South:—Remaining portion of survey plot No. 58 (River Girna). West:—Remaining portion of survey plot No. 58.	Private.	

SITE PLAN OF ANCIENT SITE AT TEKWADA



[No. F.4-33/64-C1.]

S.O. 4273.—Whereas by notification of the Government of India in the Ministry of Education No. F.4-11/64.C.1, dated 12th June, 1964, published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 20th June, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

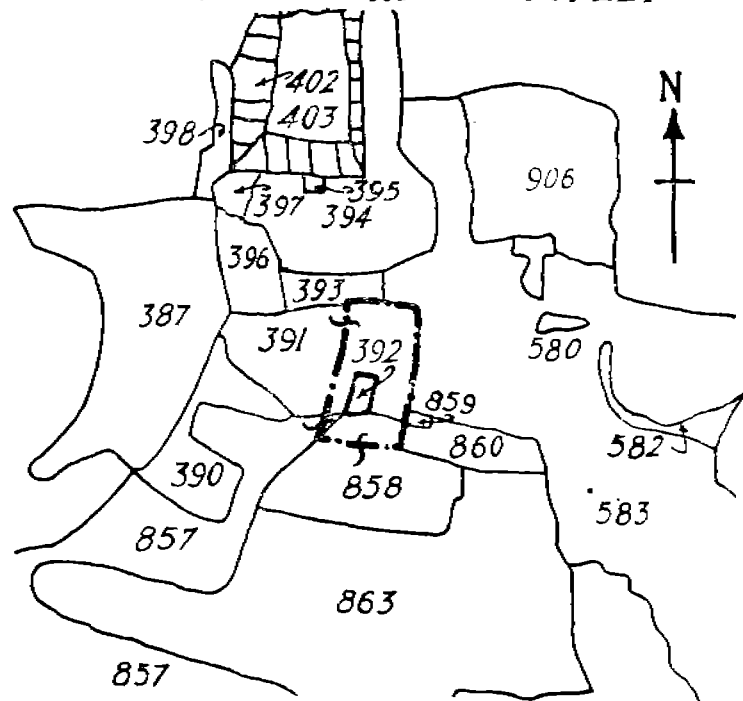
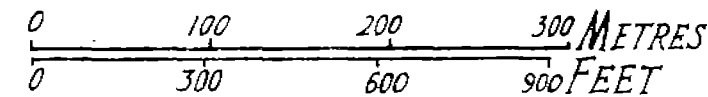
And whereas no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

SCHEDULE

Sl. No.	State	District	Sub-Division	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	West Bengal	Purlia	Sadar	Banda	Old temple at Banda (locally known as Deul) together with adjacent land comprised in survey plot Nos. 392, 391, 857 and 858.	Whole of survey plot No. 392 and part of Survey plot Nos. 391, 857 and 858 as shown in the plan reproduced below.	0.76 acre.	<p><i>North</i>:—Survey plot Nos. 393 and 580.</p> <p><i>East</i>:—Survey plot Nos. 580, 859 and 860.</p> <p><i>South</i>:—Remaining portion of survey plot No. 858.</p> <p><i>West</i>:—Remaining portions of Survey plot Nos. 391 and 857.</p>	Survey plot Nos. 391, 857 and 858 are private and remaining under the ownership of State Government.	

SITE PLAN OF OLD TEMPLE (DEUL) AT BANDA



LIMITS OF PROPOSED PROTECTION — — — — —

S.O. 4274.—Whereas by notification of the Government of India in the Ministry of Education No. F.4-24/64-C.1, dated the 25th July, 1964, published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 1st August, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

And whereas no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Jammu and Kashmir.	Anantnag	Pulwama	Awantipura	Awantiswami temple together with adjacent land comprised in Survey plot Nos. 2800 and 2804.	Survey plot Nos. 2800 and 2804.	22 Kanals and 6 marlas.	North:—Survey plot Nos. 2805 and 2822. East:—Survey plot Nos. 2798 and 2799. South:—Road. West:—Survey plot Nos. 2822, 2823, 2824 and 2829.	Survey plot Nos. 2804—Archaeological Survey of India and survey plot Nos. 2800—Revenue Department.	The temple is not under worship.

[No. F. 4-24/64-C.1.]

S. J. NARSIAN,
Assistant Educational Adviser.

MINISTRY OF HEALTH

New Delhi, the 9th December 1964

S.O. 4275.—In exercise of the powers conferred by clause (d) of sub-section (3) of section 3 of the Delhi Development Act, 1957 (61 of 1957), the Central Government hereby appoints Shri Shri Krishna as engineer member of the Delhi Development Authority in place of Shri Balbir Singh Saigal, and makes the following further amendment in the notification of the Government of India in the Ministry of Health No. 12-173/57-LSG, dated the 30th December, 1957, namely:—

In the said notification, against serial number 4, for the entry "Shri Balbir Singh Saigal", the entry "Shri Shri Krishna" shall be substituted.

2. This notification shall be deemed to have come into force on the 30th November, 1964.

[No. F. 10-15/64-LSG I.]

A. P. MATHUR, Under Secy.

New Delhi, the 10th December 1964

S.O. 4276.—In exercise of the powers conferred by sub-rule (6) of rule 2 of the Indian Port Health Rules, 1955, and sub-rule (9) of rule 2 of the Indian Aircraft (Public Health) Rules, 1954, the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Health, published with S.O. No. 1524, dated the 26th June, 1961, namely:—

In the said notification in the entries under the heading "AFRICA", for the expression "Federation of Rhodesia & Nyasaland", the words "Northern Rhodesia, Nyasaland" shall be substituted.

[No. F. 29-11/64-IHF.]

AMAR NATH VARMA, Under Secy.

New Delhi, the 11th December 1964

S.O. 4277.—In pursuance of sub-sections (1), (2) and (3) of section 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), the Central Government hereby constitutes with effect from the 19th December, 1964, the Ayurvedic and Unani Drugs Technical Advisory Board consisting of the following members; namely:—

NOMINATED BY THE CENTRAL GOVERNMENT

Chairman

1. Director General of Health Services (*ex-officio*).

Members

2. Drugs Controller, India (*ex-officio*).
3. Adviser in indigenous systems of medicine, Ministry of Health, New Delhi (*ex-officio*).
4. Director, Central Drugs Laboratory, Calcutta (*ex-officio*).
5. One Government Analyst appointed under section 33F of the Drugs and Cosmetics Act, 1940.
6. Dr. S. Prasad, Head of the Department of Pharmaceutics, Banaras Hindu University, Varanasi.
7. Dr. T. R. Seshadri, Head of the Department of Chemistry, Delhi University, Delhi-6.
8. Vaidya M. V. Venkataraghavan, "Chellakoti", Nungambakkam, Madras-34.
9. Ayurvedacharya Shri Kaladi K. Parmeswarn Pillai, Laxmivilasam Vaidyasala, Vanchiyur, Trivandrum.
10. Vaidya Priya Vrat Sharma, Head of the Department of Dravyaguna and Bhaishajya Kalpana, Post Graduate and Research Institute in Indian Medicine, Banaras Hindu University, Varanasi.
11. Shifa-ul-Mulk Hakim Shakil Ahmed, Principal, Takmil-ul-Tib-Tibbia College, Tamil-ut-tib-Street, Lucknow.

12. Vaidya G. V. Puranik, Managing Director, Dhootapapeshwar Industries Ltd., Panvel, Colaba, Bombay.
13. Hakim Iqbal Ahmed, Director, Hamdam Dawakhana, Delhi.
14. Vaidyaratna Pandit Shiv Sharma, 'Bahareistan', Bomanji Petit Road, Cumballa Hill, Bombay-26.
15. Hakim Mahmood-ur-Rehman, Old Malakpet, Hyderabad.

[No. F. 4-11/64-D.]

A. S. BAGHEL, Dy. Secy.

ORDERS

New Delhi, the 8th December. 1964.

S.O. 4278.—Whereas the Government of India in the Ministry of Health has, by notification No. 17-2/60-MI, dated the 22nd April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. (Pennsylvania U.S.A.) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. Sister Mary Liguori Cantlin who possesses the said qualification, continues to work in the Ardeshir Dalal Memorial Hospital and Mercy Hospital, Jamshedpur to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Sister Mary Liguori Cantlin shall be limited.

[No. F. 32-19/64-MPT.]

New Delhi, the 11th December 1964

S.O. 4279.—Whereas the Government of India in the Ministry of Health has, by notification No. 16-21/61-MI, dated the 28th February, 1962 made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification Doctor of Medicine (M.D.) granted by the Western Ontario University, Canada, for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. Keith E. Fidler who possesses the said qualification, continues to work in the Umri Mission Hospital, Yeotmal District (Maharashtra) to which he is attached for the time being for the purpose of teaching, research or charitable work, whichever is shorter, as the period to which the Medical practice of the said Dr. Keith E. Fidler shall be limited.

[No. F.32-65/64-MPT.]

B. B. L. BHARADWAJ, Under Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th December 1964

S.O. 4280.—In exercise of the powers conferred by Sub-section (iv) of Section 13 of Evacuee Interest (Separation) Act, 1951 (LXIV of 1951) the Central Government hereby appoints Shri Tara Chand Aggarwal as Appellate Officer for the Union Territories of Delhi and Himachal Pradesh with effect from 1st December, 1964.

[No. 9(1)/AGZ/64.]

New Delhi, the 14th December 1964

S.O. 4281.—In exercise of the powers conferred by Clause (a) of Sub-section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Rajasthan, Shri Dhera Mal Sharma, Field Inspector in the office of Regional Settlement Commissioner, Jaipur and posted at Sri Ganga Nagar as Managing Officer for the custody, management and disposal of compensation pool with immediate effect.

[No. 7(12)AGZ/64.]

KANWAR BAHADUR,
Settlement Commissioner (A) and *Ex-Officio* Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th December 1964

S.O. 4282.—In exercise of the powers conferred on me by Sub-section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), I hereby delegate to Shri O. N. Vohra, Settlement Commissioner with effect from 7th December, 1964, the following powers of Chief Settlement Commissioner:—

1. Power to hear appeals under Section 23 of the said Act.
2. Power to hear revisions under Section 24 of the said Act.

[No. 5(1) ARG/63.]

G. D. KSHETRAPAL,
Chief Settlement Commissioner.

(Office of the Chief Settlement Commissioner)

New Delhi, the 10th December 1964

S.O. 4283.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the Union territory of Delhi for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

LIST OF URBAN AREA OF VILLAGE HAUZ RANI FOR ACQUISITION U/S 12

Particulars of Property

Khewat No.	Khasra No.	Area	Name of the evacuee with rights in the property	Remarks
Big- Bis.				
1. 121/307/309	453/417/1	0—16	Bhore Khan s/o Iman Khan evacuee ownership rights.	
V. Khuraji Khas				
2. 167/250	57/24/2	0—16	Khuda Bux s/o Hussain Bux evacuee ownership rights.	

[No. 1(10)/L&R/62.]

S.O. 4284. —Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the Union Territory of Delhi for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

LIST OF URBAN AREA OF VILLAGE HAUZ RANI FOR ACQUISITION U/S 12.

Particulars of Property

Khewat No.	Khasra No.	Area	Name of the evacuee with rights in the property	Remarks
31/52	132	Big-Bis. 5—1	Mst. Mulkunasa wd/o Jamaludin alias Mohd. Ahmed, Kammaludin s/o Rehenulla/ Mst. Ravia Bi d/o Rehenuallah Mst. Iqbal Zamani, w/o Habbibullah Mst. Mundul Nisa sister of Habibulla Mst. Saraj Zamani & Mst. Ratia Bi & Mst. Jattat Bi & Mst. Kaniza Bi ds/o Habibullah Mst. Hamidul Nisa d/o Mst. Sayeed Bi evacuee ownership rights.	

[No. 1 (10)/L&R/62.]

M. J. SRIVASTAVA.

Settlement Commissioner & *Ex-Officio*,
Under Secy.

DEPARTMENT OF SOCIAL SECURITY

New Delhi, the 9th December 1964

S.O. 4285.—In pursuance of clause (a) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates the Secretary to the Government of Madras, Industries, Labour and Co-operation Department, as Chairman of the Regional Committee set-up for the State of Madras and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 3381, dated the 2nd November, 1954, namely:—

In the said notification, in entry (1) the word "Additional" shall be omitted.

[No. 12/8/64/PF-II.]

S. A. AHMAD, Dy. Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 9th December 1964

S.O. 4286.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Bombay Port Trust, Bombay and their workmen which was received by the Central Government on the 2nd December, 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. C.G.I.T. 44 OF 1964

Employers in relation to the Bombay Port Trust

AND

Its Workmen.

PRESENT:

Shri Salim M. Merchant—*Presiding Officer*.

APPEARANCES:

For the Bombay Port Trust—Shri M. R. S. Captain, Legal Adviser with Shri R. K. Shetty, Deputy Legal Adviser.*For the Workmen:**For the B.P.T. General Workers' Union*—Shri S. Mitra, General Secretary.*For the B.P.T. Employees' Union*—Dr. Shanti Patel with Shri S. K. Shetye, Asstt. Secretary.

INDUSTRY: Docks and Ports.

STATE: Maharashtra.

Dated at Bombay the 30th day of November 1964.

AWARD

The Central Government, by the Ministry of Labour & Employment's Order No. 28/17/64-LR IV dated 15th April 1964 made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication:—

SCHEDULE

"Whether the Bombay Port Trust Administration is justified in reverting the present incumbents of the post of Survey Lascars by appointing to these posts Peons who are senior to them in service consequent on the higher scale of pay sanctioned to Survey Lascars on the recommendations of the classification and categorisation committee? If not, to what relief are the concerned workmen entitled?"

2. Before I consider the dispute on its merits, I may state that the Bombay Port Trust General Workers' Union (hereinafter referred to as the Union) has taken up the cause on behalf of the following four survey lascars:—

1. Shri D. B. Achrekar,
2. Shri V. L. Powar,
3. Shri V. R. Walunj and
4. Shri Suryakant B. Serang.

who, according to it, were appointed as Survey Lascars in 1955 and 1956 and continued to work as such till they were demoted as Peons on 4th April 1964. The cause of the Peons has been espoused by the B.P.T. Employees Union (hereinafter referred to as the "Employees' Union").

3. The Peons and the Survey Lascars had a common scale of pay of Rs. 30—1—50, till the classification & Categorisation Committee (popularly known after its Chairman as the Jeejeebhoy Committee and hereinafter referred to as the C.C. Committee), revised the scale for Survey Lascars to Rs. 35—1—50 and that for Peons to Rs. 30—1—35. It is admitted that both Peons and Survey Lascars are scheduled staff. The C.C. Committee was constituted on 23rd August 1958 and made its report on 28th May 1961 and its recommendations were given effect to retrospectively from 1st October 1957.

4. On 25th October 1961 the Union made a representation to the General Manager of the Bombay Port Trust stating that D.A. Salgaonkar, Vishnu Laxman Pawar and D.B. Achrekar had been working as Survey Lascars in the Estate Department with effect from 27th September 1950, 30th December 1955 and 1st December 1956 respectively; that D. A. Salgaonkar was a permanent Survey Lascar and that V. L. Pawar and D. B. Achrekar, having completed one years' service were,

under the Rules and Regulations of the Port Trust, eligible to be confirmed and made permanent with retrospective effect from their respective dates of appointment. The Union pointed out that it had come to its knowledge that the Administration was making efforts to confirm as Survey Lascars, persons who were working as Peons, because of the higher grade prescribed by the C.C. Committee for Survey Lascars. The Union submitted that Survey Lascars are a distinct and separate unit from that of Peons and that the C.C. Committee had, taking into consideration the higher duties of Survey Lascars, awarded them a higher scale of pay than for Peons. In a subsequent letter dated 20th December 1961, the Union made a claim for confirming the said Suryakant B. Sarang as Survey Lascar because he had been working continuously as such since 1956, but in any case since 1st October 1957, the date on which the C.C. Committee's recommendations came into force.

5. Thereafter by its letter dated 29th December 1961, the Union repeated the demand and contended that the category of Survey Lascars in the Estate Department was not in the channel of promotion of the Peons of the Estate Department and in support relied upon the B.P.T.'s statement made to the C.C. Committee with regard to the duties and responsibilities etc. of class III and IV employees at page 81, item 3, wherein referring to the "method of recruitment" of Survey Lascars, it had stated that, "their recruitment was by direct recruitment". By its letter dated 30th December 1961 to the Chairman, the Union complained that whilst its representation dated 25th October 1961 was pending before the Chairman, the Estate Manager, had issued an office order dated 29th December 1961 (see Ex.D at page 21 of the B.P.T.'s written statement) reverting eight Survey Lascars to the post of Peons and promoting eight Peons to the post Survey Lascars. Among the officiating Survey Lascars who were proposed to be transferred as Peons were Sarvashri V. L. Pawar, D.B. Achrekar and V. R. Walunj, who were officiating as Survey Lascars in three vacancies in the permanent schedule of Survey Lascars. The Union demanded cancellation of this office order of the Estate Manager. The Union in this letter also drew attention to the fact that the Bombay Port Trust had in its representation to the C.C. Committee (page 82 at items Nos. 4 and 5) shown that the method of recruitment of Naik and Record Peons was, "by promotion from Peons on the basis of seniority-cum-suitability," and under item No. 6 that, "the Naik of Survey Lascars is recruited from Survey Lascars on the basis of seniority-cum-suitability." The Union relying upon these statements of the B.P.T. before the C.C. Committee, has strongly criticised the action of the office of the Estate Manager, alleging favouritism, in having made these transfers on the wrong basis of common seniority of Survey Lascars with Peons. The Union had also then intimated to the Administration that it had advised the Survey Lascars not to accept transfer to the posts of Peons and had threatened that if the Estate Manager insisted on carrying out his order dated 29th December 1961 (Ex.D to B.P.T.'s written statement), the Union would be compelled to resist it. It was admitted at the hearing of this dispute that because of the Union's strong objection the order of the Estate Manager dated 29th December 1961 was not implemented and Sarvashri V. L. Pawar, D. B. Achrekar and V. R. Walunj and the others continued to work as Survey Lascars and got the benefit of the pay scale fixed for Survey Lascars by the C.C. Committee till 3rd April 1964, when as a result of the Estate Managers' Office Order dated 1st April 1964 (Annexure A to the B.P.T.'s written statement) they were demoted to the post of Peons with effect from 4th April 1964, and it is admitted that this is the order of revision of Survey Lascars referred to in the order of reference of this dispute. The Bombay Port Trust has stated that of the 4 Survey Lascars named in para 2 supra, whose cause the Union has espoused, no dispute survived with regard to S. B. Sarang, as he had been appointed to officiate as Survey Lascar, but Shri Maitra has stated that the dispute in respect of his seniority as Survey Lascar also survives.

6. I may at once state that I am not at all satisfied with the Administration's plea that the statements made in its written statement filed before the C.C. Committee viz., that the method of recruitment of Survey Lascars was by direct recruitment and the statement with regard to recruitment to the posts of Naik and Peons being by promotion from Peons and of Naik of Survey Lascars from survey lascars had been made by a mistake. Before the C.C. Committee, the Administration filed the duty lists of Peons and Survey Lascars from which it would appear that the duties of Survey Lascars were higher and more responsible and it is quite clear that it is on that basis that the C.C. Committee recommended a higher scale of wages for the Survey Lascars than for the Peons. It was urged on behalf of the Administration that its representation before the C.C. Committee relating to the duties of Peons and Survey Lascars as also the method of recruitment of the posts of Naik and Record Peons and to Naik or Survey Lascars was hurriedly prepared without proper thought and attention having been bestowed upon it, and that subsequently it was established that in respect of other categories also the duty lists had contained inaccuracies. It is, however, rather

strange that this plea should have been advanced only after this dispute was raised. What Shri Maitra has rightly argued is that he relies not so much on the duty lists of Peons and Survey Lascars filed by the Administration before the C.C. Committee, as on the fact that the Bombay Port Trust had categorically there stated that the recruitment to the post of Survey Lascars was by direct recruitment and that recruitment of Naik and Record Peons was by promotion from Peons on the basis of seniority-cum-suitability and that the Naik of Survey Lascars was recruited from Survey Lascars on the basis of seniority-cum-suitability, which statement militates against the Administration's plea that there was common seniority between Peons and Survey Lascars. It is significant that the Bombay Port Trust for the first time put forward the plea that its statement before the C.C. Committee was wrong in conciliation proceedings after this dispute was raised and not in the correspondence that preceded it.

7. I am also of the opinion that Shri S. Maitra has a just complaint against these Survey Lascars not having been confirmed as Survey Lascars in spite of the fact that they were working in these posts continuously for several years. It is admitted by the Administration that these posts of Survey Lascars were posts of a permanent nature. Its plea is that these workmen were not confirmed in these posts of Survey Lascars because the department had plans of reorganisation and because these Survey Lascars were appointed as and when vacancies arose. I am not impressed by this plea. There is not any reliable evidence in support of the administration's plea of reorganisation of the Estate Manager's Department and the plea that because they were temporarily appointed as vacancies arose, would be no justification for depriving them of permanency after they had continuously worked in these posts for several years. There is nothing to show that there were any legal or valid orders to that effect. It is true that there are no rules framed governing promotions, in the Estate Manager's Department, but that would not justify the Administration keeping Survey Lascars who had officiated as such in permanent posts for several years at a stretch without their being confirmed in those posts.

8. I am also not impressed that because the two posts of Peons and Survey Lascars had identical scales of pay, they should be treated as common interchangeable posts. It is quite clear from the statements made by the Administration before the C.C. Committee regarding the general duties of Peons and Survey Lascars, and even allowing that there were a few inaccuracies, in the list of their duties as filed by the B.P.T. before the C.C. Committee it is clear from the submissions of the parties that Survey Lascars were treated on a different basis in several respects. To mention only one other reason, it is admitted that for the purposes of rations Survey Lascars were treated as manual workers, and Peons were not. There is also evidence that the rule of common seniority between Peons and Survey Lascars, on which the Administration so strongly relies, was not always observed for purposes of promotion; nor was it based on actual length of service and Shri Maitra, at the hearing cited instances from the statement filed by the Bombay Port Trust viz., the cases of A. R. Baing who was senior to S.S. Pawar and V. M. Phole and had to wait till there was a clear vacancy in the post of Survey Lascar. In support Shri Maitra has also referred to the case of N. F. Parab (page 24 of B.P.T.'s written statement Annexure 'E') who was appointed as substitute on 1st September 1945 and confirmed as Peon on 22nd February 1947. Shri Maitra has also urged that it was not a fact that a person senior in service used to get a Peon's promotional post according to his seniority as urged by the Bombay Port Trust and he has in support cited the case of D. G. Jadhav, who, though junior to the other Peons, was appointed and confirmed in preference to others e.g., D. A. Salgaonkar, serial No. 6 at page 24, was appointed on 27th September 1960 and was confirmed superseding Shirwadkar, S. B. Surang, V. K. Tikam and others.

9. It is no doubt true that promotion is a managerial function over which an industrial dispute cannot be raised, but this case is not merely a question of promotion made by the management in exercise of its discretion but it is a case of certain number of workmen of a particular category e.g., Survey Lascars, having worked as Survey Lascars over a period of years in vacancies of permanent posts, without their having been confirmed in those posts and when higher scales of pay came to be fixed for them the Administration having denied them confirmation in those posts and having given preference to Peons on the principle of joint seniority in service, which principle I am satisfied from the record, the Administration itself had not always observed. Shri Maitra has, in my opinion rightly relied upon the observations of the Hon'ble Supreme Court in the cases of Jaswant Sugar Mills Vs. Badri Prasad and others (1961 I LLJ p.649) and D.C.M. Chemical Works Vs. Its workmen (1961 I LLJ p.388) and Express News Papers Vs. Labour Court, Madras and others (1964 I LLJ p.9) and upon the decision in the case of Durga Prasad Tripathi Vs. Anand Sagar Mills (1952 I LLJ p.505), in support of

his claim that these Survey Lascars were entitled to be confirmed in the permanent posts of Survey Lascars, having acted therein for several years continuously, in preference to the others. There is no order of the Chairman or of the Trustees to justify the Administration to treat the permanent posts of Survey Lascars as temporary posts and the Administration was not, when challenged by Shri Maitra, able to produce any such order. The Administration's plea as put forward by its Assistant Legal Adviser that these Survey Lascars were not confirmed as such because (1) the Department had plans of reorganisation and (2) that these 3 or 4 Survey Lascars were appointed as such temporarily when vacancies occurred in those posts does not carry any conviction, because the point is that there were permanent posts in which these Survey Lascars had worked for years without being confirmed and in my opinion it would be most unfair to revert them to the post of Peons on the alleged ground of joint seniority. Nor is such reversion, in my opinion, valid or legal in the absence of any rules or valid office orders recognising joint seniority.

10. In this connection I am satisfied that these Survey Lascars viz., V. L. Pawar, D. B. Achrekar, V. R. Walunj and S. B. Sarang were not "officiating" in the post of Survey Lascars as claimed by the Bombay Port Trust in its written statement. I cannot accept Shri Captain's explanation that the word was used only in the B.P. T.'s written statement in the colloquial sense, especially as the term "officiating" has a special significance in the Bombay Port Trust's Digest of Pay and Allowances, Leave and Pension Rules.

11. It is also a significant feature of this case that there is no instance of a confirmed Peon having been transferred as a Survey Lascar. Shri S. Maitra is right when he points out that that would have been so if the posts of Survey Lascars and Peons had been interchangeable.

12. The Union's contentions in this case that there were different lines of promotions for Peons and Survey Lascars finds support from the statements made in the Estate Manager's note dated 14th May 1955 (Ex.W-1) where the Estate Manager stated:—

"The practice at present for the promotion is that if and when a vacancy arises of a Naik in the Districts the promotion is made from the senior-most Peon, whilst if the Survey Naik goes only the Survey Lascars can be promoted to the post."

It was argued by the Bombay Port Trust that this note did not correctly record the practice of promotion and that if this was the correct practice it was valid only till 1955. I am afraid in this case, the Bombay Port Trust Administration is unjustifiably disowning orders made by its responsible officers and statements made before responsible wage fixing bodies. I would, therefore, hold that Shri Maitra is justified in relying upon this order as showing that there were different lines of promotion, for Survey Lascars and Peons, and I accept that position to be correct.

13. Shri S. Maitra was right when he argued that in the absence of any order from the Chairman of the Port Trust that the permanent posts of Survey Lascars had been converted into temporary posts, these Survey Lascars could not be kept temporary in permanent posts without being confirmed after they had put in several years continuous service in those posts. For the same reason, I am not impressed by Shri Shetty's submission that because in the pay slips these Survey Lascars were shown as Temporary Survey Lascars it showed that these posts were treated as temporary and accepted as such by these Survey Lascars. By merely showing them as temporary in the Pay sheets would not, in my opinion, convert permanent posts into temporary ones. Shri Maitra was right when he argued that the schedule cannot be changed without the order of the Chairman, sanctioning the appointment of temporary Survey Lascars to permanent posts. I am not satisfied that when there are 5 sanctioned posts of Survey Lascars, the Administration was justified in showing only two as permanent and three as temporary. The submission of the Administration was that these three posts were filled only temporarily because the Estate Manager proposed to re-organise the department and in support he has filed extracts (Ex. E-10 collectively). But Shri Maitra has pointed out that these extracts relate to the re-organisation of Peons etc. and not of Survey Lascars. It is further interesting to note that Ex.E-10 starts with extracts from officers conferences held on 14th September 1957, when Pawar and others were already substitute Lascars. Nor am I impressed by the contention that the application of Shri Mayekar dated 15th October 1951 (Ex.E.11) and of Sitaram Shivram, Naik No. 4 dated 22nd December 1953 (Ex.E.12) show that if there has been a confirmation earlier in the post of Survey Lascars of the substitutes, it is not these 4 Survey Lascars for whom the Union has made the claim, but others who would have been confirmed. The application of Mayekar (Ex.

E.11) was for appointment on transfer as Naik from Head Office to Bunder and the application of Sitaram Shiva Naik (Ex.E.12) was against his transfer as Naik to North District and neither is an application for confirmation as Survey Lascar.

14. By its notice of change dated 13th April 1964 under Section 9A of the Industrial Disputes Act, the Bombay Port Trust expressed its intention to effect a change effective from 5th May 1964, revising the then existing channel of promotion to the posts of Havildar/Record Peon/Survey Naik being made on the basis of common seniority of the Survey Lascars and Peon (Naik), Head Office and Peon (Naik) District Offices (see para 24 of the written statement). The Union is, I think, right when it points out that this notice of change establishes the fact that these categories did not have common seniority and that it was proposed to establish common seniority only with effect from 5th May 1964. The Bombay Port Trust has stated that its channel of promotion before the C.C. Committee recommendations was as stated in its statement (Ex.H) at page 31 of its written statement. But, Shri Maitra contends that that channel of promotion was as stated by the Bombay Port Trust before the C.C. Committee. The Bombay Port Trust has not led any evidence to show that the correct channel of promotion before C.C. Committee's recommendations was as at Exhibit 'H'. It is surprising that if the channel of promotion was at Ex.H how a different statement came to be made before the C.C. Committee and why it remained uncorrected for so long. However, it is admitted that the channel of promotion proposed by notice of change dated 13th April 1964, was not implemented from 5th May 1964 as the Government of India referred this dispute to adjudication by its said Notification dated 15th April 1964 (See para 16 page 10 of the B.P.T.'s written statement).

15. It is also significant to note that the Estate Manager's Office Order dated 29th December 1961 (Ex.D to the B.P.T.'s written statement) in which after recording that "there are at present three vacancies of Survey Lascars in the permanent schedule of this Department and Sarvashri V. L. Pawar, D. B. Achrekar and V. R. Walunj are at present officiating against these vacancies", the Estate Manager on the basis of seniority of service had sought to appoint three senior-most peons *viz.*, Sarvashri V. M. Phople, S. S. Salgaonkar and C. S. Kargutkar as Survey Lascars in the permanent vacancies and to demote Sarvashri Pawar, Achrekar and Walunj to be appointed to officiate as Peons, had never been implemented, because the Union had objected to it and raised an industrial dispute over it. It is significant that the conciliation officer made this failure report in this dispute on 21st February 1964 and that whilst the failure report was under consideration by the Government *i.e.*, the Government was considering whether to refer the industrial dispute to the Tribunal or not to refer it, the Bombay Port Trust made the order dated 1st April 1964 reverting the Survey Lascars with effect from 3rd April 1964 and Shri Captain for the Bombay Port Trust had admitted that that is the order which has been referred to in the Government Order of reference dated 15th April 1964.

16. It is rather surprising that the Bombay Port Trust should say that the correct position with regard to these four Survey Lascars service should be as stated in a statement filed by the Bombay Port Trust (Ex. E-6 to Ex.9) and not in the service sheets of their workmen (Ex.E-2 to Ex.E-5).

17. The B.P.T. Employees' Union (Employees Union) in its written statement dated 25th July 1964 has stated that prior to the implementation of C.C. Committee's recommendations, effective from 1st October 1957, the pay scale of Peons and Survey Lascars in the Estate Managers' Department, was identical *viz.*, Rs. 30—1—35 and there was no question of a separate cadre since both Peons and Survey Lascars were freely interchangeable in accordance with the requirements of the Administration. It has stated that prior to the C.C. Committee's recommendations the channel of promotion was as follows:—

Havildar

(Rs. 40—1—50)

Record Peon or Survey Naik

(Rs. 35—1—45)

Peons/Survey Lascars

(Rs. 30—1—35);

that the Estate Manager used to maintain a list of substitutes and the names of the candidates who had worked as Peons or Survey Lascars were shown in the said list in order of seniority, which was combined for both categories and according to the number in the said list candidates were appointed in the vacancies of Peons and Survey Lascars and there was no choice to choose one or the other; that

several Peons of the Estate Department had worked as Survey Lascars and vice versa from time to time, with the result that when the grade of Survey Lascar was revised from 1st October 1957, supplementary pay sheets had to be drawn and those employees who were designated as Peons, but had actually worked as Survey Lascars were paid the difference in their grades. Contrary to this, such of the employees, who were designated as Survey Lascars but had actually worked as Peons were not paid any difference in pay; that the rule making an employee permanent on completion of 12 months service which is applicable only to the Non-Schedule employee, is not applicable to the categories of Survey Lascars and Peons. The Employee's Union, therefore, submitted that the Bombay Port Trust Administration was justified in reverting the present incumbents of the posts of Survey Lascars by appointing to these posts Peons etc. who are senior to them in service consequent on the higher scale of pay given to Survey Lascars on the recommendations of the C.C. Committee.

18. It will thus be seen that the Employees' Union is supporting the Administration's action on the same grounds on which the Administration seeks to justify it. This Union has not led any oral evidence nor filed any documents in support of its contentions.

19. The Employees' Union by its letter to the Secretary, Bombay Port Trust dated 23rd November 1963 (Ex. F to B.P.T.'s written statement, page 23) had complained against non-implementation of the office order dated 29th December 1961 and demanded its immediate implementation (Ex.D. to B.P.T.'s written statement). In that representation the Employees' Union had made the following observation on which Shri S. Maitra relies as showing that even this Union admits that at the time there were no rules governing appointments to posts of Peons and Survey Lascars and that the posts of Survey Lascars were considered posts of promotion:—

"There were no hard and fast rules for promoting office Peons to the posts of Survey Lascars. In fact, the question of promotion did not arise as both the categories were in the same scale."

It appears that thereafter the Estate Manager by his Memo No. 19/20133 of 9th December 1963 had asked for the sanction of the Board of Trustees to the following:—

1. To upgrade one post of Peon (Indoor) to one post of Peon Naik (Indoor).
2. To upgrade one post of Peon (outdoor) to one post of Havildar (outdoor).
3. To amend the Schedule of staff accordingly (Ex.G collectively at pp.29 and 30 of the B.P.T.'s written statement).

This was placed before a meeting of the Board of Trustees held on 17th December 1963 along with the Memorandum of the Chief Accountant No. E/PC-(F)/31779 dated 12th December 1963. The proposal which the Board was asked to sanction was the creation of one post of Naik in lieu of post of Peon and the Chairman was of the opinion that if this proposal was sanctioned and the other proposals regarding demotion of these Survey Lascars as Peon were deferred till the return of Shri Dias the permanent Chairman of the Port Trust, it would maintain status quo as desired by the Regional Labour Commissioner. As the consensus of the opinion of the Board was in favour of the suggestion made by the Chairman, by Resolution No. 1108 dated 17th December 1963 it only sanctioned the abolition with effect from 20th December 1963 of one permanent post of Peon and to the simultaneous creation of one post of Naik (Peon) on the permanent scheduled establishment of the Estate Manager's Head Office and agreed that the schedule of staff should be amended accordingly (see Ex.C collectively at pages 30A to 30C of the B.P.T.'s written statement).

20. The point is that by this Resolution the Board of Trustees did not sanction the appointment of Peons to the posts of Survey Lascars, and the consequent demotion of Survey Lascars to the post of Peons, which the Employees' Union had pressed for by its letter dated 23rd November 1963 and therefore on 2nd March 1964 the Peons went on strike but it was stated by Shri Shetye on behalf of the Employees' Union that the strike was called off the same evening because the Administration gave it an assurance that the appointments of senior Peons to Survey Lascars would be made from 1st March 1964. Shri Shetye for the B.P.T. Employee's Union stated that the B.P.T. Administration had made mistakes in the past and that the Peons should not be made to suffer for those mistakes.

21. Reverting to the proposals for re-organisation of the Estate Department which according to the Bombay Port Trust justified keeping three of the sanctioned five permanent posts of Survey Lascars, temporary, Shri Maitra in his reply address at the hearing, dissected Ex.E-10 and he has urged that the Ex.E-10

series no where refer to Survey Lascars having been kept temporary. He has further referred to Ex. E-10 at page 3 which refers to re-organisation of watchmen and argued whether it was necessary to keep the 5 posts of Survey Lascars temporary in order to reduce the number of watchmen's posts by 15? He has also pointed out that though these proposals for re-organisation were made so early as on 12th May 1959, the Chairman had as late as on 14th July 1963 pointed out that the case had not been put up for his sanction till that date; that as much time had passed since the proposals were made they should be reviewed. He has also pointed out that Ex.E-10 at para 5 refer to class III employees which would suggest that it did not cover Survey Lascars. I am, therefore, not satisfied that the Bombay Port Trust's statement Ex.E-10 is sufficient proof or evidence of there being such re-organisation of the Department as would justify the three permanent posts of Survey Lascars being kept temporary, as pleaded by the Bombay Port Trust.

22. With regard to the Bombay Port Trust's statement Exhibit E-11, the Union has argued that the special post of Survey Lascar was created specially for the purpose of appointing Mayekar to it and partly to prove inter-changeability and with regard to the B.P.T.'s Exhibit E-12, the Union has referred to paras 5, 6 and 7 thereof. In my opinion Ex.E-11 which is an application of Shri L. K. Mayekar dated 15th October 1957 to consider his case for transfer in rotation from Head Office to Bunders as per the Manager, Land and Bunder's Order of triennial transfers of Naiks and the notings of the officers thereon and Ex.E-12 which relates to transfer of Naiks made in 1954, do not in any way provide any material assistance to the management to establish the case of joint seniority. Shri Maitra has also urged that whilst previous experience, according to the Bombay Port Trust, was not a ground of consideration for appointment to post of Survey Lascars, it was previous experience which was taken into account in appointing Mayekar to the post of Survey Lascar.

23. Shri Maitra has also referred to the statement in para 4 of the Bombay Port Trust's written statement that the workmen concerned were "officiating", relied upon the terms of the settlement reached on demand No. 14 in the Industrial Dispute Reference No. 24 of 1960 (Award dated 16th October 1961 published in the Gazette of India, Part II, Section 3(ii), dated 4th November 1961 at page 2809 and at page 2823) where appointments except in leave vacancies, "are not considered as appointments in temporary vacancies for the purposes of sub-clause 8 of para 31 of the Tribunal's Award referred to above", Shri Maitra is, however, on surer grounds when he relies upon the statement made by the Bombay Port Trust in its written statement in another dispute Reference No. 2 of 1964, where the Bombay Port Trust specifically stated:—

"18(1) with reference to sub-para 30(b) of the Union's written statement of claim the Employers beg to state that though the service sheets of the Survey Lascars do not specifically mention that they have been confirmed in the permanent posts on the workshop flotilla they must nevertheless be regarded as permanent employees since they have been working in permanent posts since the last several years as may be seen from the relevant musters and pay sheets."

This reasoning applies fully to the case of these Survey Lascars, and these Survey Lascars must be regarded as having been confirmed since they also have been working in the permanent posts of Survey Lascars since the last several years.

24. It also appears from Ex.W-2 (Union's letter of 24th September 1964) that in determining questions of seniority of workmen not covered by the Award in Reference No. 5 of 1957 or who are not scheduled staff the Bombay Port Trust has been following one of the 3 rules enumerated by the Union in that letter.

25. It was argued by the Bombay Port Trust that the Chairman had delegated his authority in certain respects to the heads of the various departments of the Bombay Port Trust (see Ex.E-14). Shri Maitra has admitted such delegation but his contention is that the Estate Manager had at no time informed the Survey Lascars that they were working in Survey Lascar's posts in a temporary capacity. The Administration in this connection has relied upon the entries in the pay sheets which describe them as temporary Survey Lascars and it has provided the original Pay sheets (Ex.E-2 to Ex.E-5) in proof thereof. Shri Maitra then pointed out that in the Bombay Port Trust's statement Ex.E-1 they were shown as substitute Lascars, whilst in para 4(b) of its written statement the Bombay Port Trust had described these Survey Lascars as merely "officiating" in the posts of Survey Lascars. I am afraid, the Bombay Port Trust's records do not show a consistent designation for these posts and in any case, as pointed out by me earlier, there is not sufficient warrant for these three permanent sanctioned posts of

Survey Lascars having been kept temporary and not appointing thereto as permanent Lascars those Survey Lascars who had been working in these permanent posts for several years at a stretch, especially when as I have stated earlier the Bombay Port Trust plea of common seniority has also not been uniform and has been contradicted by statements made before the C.C. Committee and by previous orders.

26. After an anxious consideration of the documentary evidence on record and the submissions of the parties to the dispute, I answer the first question under reference in the negative and hold that the Bombay Port Trust Administration was not justified in reverting the incumbents of the post of Survey Lascars by appointing to those posts Peons who are senior to them in service subsequent to the higher scales of Pay sanctioned to Survey Lascars on the recommendations of the Classification and Categorisation Committee. As it is admitted that the order to which the schedule contains reference is the order of the Bombay Port Trust dated 1st April 1964 (Exhibit A to the B.P.T.'s written statement) which was to come into effect from 4th April 1964, and under which the following three Survey Lascars viz., Shri V. L. Pawar, Shri D. B. Achreker and Shri V. R. Walunj were reverted as Peons, I direct that the said order in respect of these three Survey Lascars will not take effect. I direct further that within one month of the date this Award becomes enforceable Sarvashri D. B. Achreker, V. L. Pawar and V. R. Walunj shall be appointed Survey Lascars and shall be paid the wages of Survey Lascars in the scale prescribed by the C.C. Committee and shall also be paid the difference between the wages as Peons paid to them and what they would have been entitled to as Survey Lascars with effect from 4th April 1964.

27. With regard to Shri S. B. Sarang as it was admitted at the hearing that he is continuing as Survey Lascar the only order in respect of him will be that he will be treated as permanent Survey Lascar.

28. I also further direct that Sarvashri V. L. Pawar, D. B. Achreker and V. R. Walunj will be treated as confirmed in the posts of Survey Lascars.

29. No order as to costs.

Sd./ SALIM M. MERCHANT.

Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

[No. 28/17/64/LR.IV.]

ORDERS

New Delhi, the 8th December, 1964

S.O. 4287.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of Maharashtra, Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether, having regard to the duties performed by him, Shri K. G. Ramgirkar of the Hinganghat branch of the Bank of Maharashtra, Limited, is entitled to the special allowance prescribed for Supervisors under para 5.282 of the Award dated the 7th June, 1962 of the National Industrial Tribunal (Bank Disputes), Bombay published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2028 dated the 13th June, 1962, and if so, from what date?

[No. 51(64)/64-LR.IV.]

New Delhi, the 9th December 1964

S.O. 4288.—Whereas the employers in relation to Messrs Dharsi Moolji, Bombay and their workmen represented by the Transport and Dock Workers' Union, have jointly applied to the Central Government for reference of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed, to a Tribunal;

And, whereas the Central Government is satisfied that the said Transport and Dock Workers' Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

What interim increase in the rates of Dearness Allowance and/or wages should be granted to the daily rated and monthly rated categories of Dock Staff and workmen employed by Messrs Dharsi Moolji, Bombay and from what date?

[No. 28/113/64/LR.IV.]

New Delhi, the 14th December 1964

S.O. 4289.—Whereas a vacancy has occurred in the office of the presiding officer of the Labour Court with headquarters at Jullundur, constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 458 dated the 5th February, 1963 consequent on the death of Shri Kartar Singh Chadha presiding officer thereof;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Manohar Singh Bakshi as the presiding officer of the said Labour Court.

[No. 55(75)/64-LR.IV.]

O. P. TALWAR, Under Secy.

New Delhi, the 9th December 1964

S.O. 4290.—Whereas by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2058 dated the 4th June, 1964 the Central Government being satisfied that the public interest so required, had declared the industry for the supply of milk under the Delhi Milk Scheme to be public utility service for the purposes of the Industrial Disputes Act, 1947 (14 of 1947) for a further period of six months from the 22nd June, 1964;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 22nd December, 1964.

[No. F.1/70/64-LR.I.]

New Delhi, the 10th December 1964

S.O. 4291.—Whereas the Central Government, having been satisfied that the public interest so required, had declared, by a notification made in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), (being the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2144 dated the 11th June, 1964), the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act for period of six months from the 29th June, 1964;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby declares the said service to be a public utility service for the purposes of the said Act for a further period of six months from the 29th December, 1964.

[No. 1/69/64-L.F.I.]

New Delhi, the 14th December 1964

S.O. 4290.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the matter of an application under section 33A of the said Act, from Shri Ram Sukh, Dresser Girmint Colliery, C/o Colliery Mazdoor Sabha, G.T. Road, Asansol, which was received by the Central Government on the 2nd December 1964.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: CALCUTTA

MISC. APPLICATION NO. 7 OF 1964:

Under Section 33A of Industrial Disputes Act.

(Arising out of Reference No. 20 of 1964)

PARTIES:

Shri Ram Sukh, Dresser, Girmint Colliery, C/o. Colliery Mazdoor Sabha, G.T. Road, Asansol—Applicant.

Vs.

The Chief Mining Engineer, M/s. Bengal Coal Co. Limited, P.O. Dishergarh, Dt. Burdwan—Opposite Party.

PRESENT:

Shri L. P. Dave—Presiding Officer.

APPEARANCES:

On behalf of applicant—Shri Kalyan Roy, Vice-President, Colliery Mazdoor Sabha.

On behalf of Opposite Party—Shri B. P. Kabi, Security Officer.

AWARD

This is an application under Section 33A of the Industrial Disputes Act.

2. The applicant, who was working in the Girmint Colliery, filed this application stating *inter alia* that the Opposite Party had contravened the provisions of Section 33 of the Industrial Disputes Act by dismissing him during the pendency of Reference No. 20 of 1964 without obtaining the previous permission of this Tribunal. The Opposite Party filed a written statement contending *inter alia* that this application was not maintainable as the applicant was not a workman concerned in Reference No. 20 of 1964.

3. At the request of both parties, the above point was heard as a preliminary point, and it is whether the applicant was a workman concerned in Reference No. 20 of 1964. That reference was made by the Government to this Tribunal on 9th April 1964 for adjudication of the following questions:

“Whether the management of Girmint Colliery of Messrs Bengal Coal Company Limited were justified in not providing regular work to Shri Raj Kishore Singh by keeping him on the badli list? If not, to what relief is the workman entitled?”.

The Opposite party's contention is that the present applicant was not a workman concerned in the above Reference and therefore no permission of the Tribunal was necessary under Section 33 before dismissing him. On the other hand, the applicant's contention is that in the Reference, all workmen of the Girmint Colliery are parties. It was argued that there cannot be an industrial dispute about an individual workman and hence all workmen must be deemed to be concerned in the earlier Reference.

4. My attention was invited by Shri Kabi to the decisions of the Supreme Court in the cases of Upper Ganges Valley Electricity Supply Company, Ltd. *vs.*

Srivastava, 1963 ILLJ 237 and Digwadih Colliery Vs. Rakji Singh, 1964 II LLJ 143. In the first of these cases, a dispute regarding the question of grant of annual increment to one individual workman was referred for adjudication. An appeal against the resulting award made on the Reference was pending. During the pendency of that appeal, a workman who was employed as a Fireman was dismissed and he thereupon made a complaint under Section 23 of the Industrial Disputes (Appellate Tribunal) Act. It may be noted here that the wording of Section 23 of the Industrial Disputes (Appellate Tribunal) Act is similar to the wording of Section 33 of the Industrial Disputes Act. It was held by the Supreme Court that this application was not maintainable as the applicant was not a workman concerned in the above appeal which related to an individual dispute of one employee. The Supreme Court's view appears to be that though all workmen may be considered to be a party to the dispute, they cannot all be said to be "concerned" in such dispute. Only the persons who are subject matter of the Reference would be the persons concerned in such dispute. In the above Supreme Court case, the workman concerned in the dispute would be the person relating whose annual increment the matter was referred for adjudication.

5. The Digwadi Colliery case was a case under Section 33 of the Industrial Disputes Act. A person was dismissed from service during the pendency of a Reference before the Industrial Tribunal. It appears that the person who was dismissed was a clerk while the earlier Reference was regarding Chaprasis and watchman and it was on this ground that the employers contended that the applicant was not a workman concerned in the earlier dispute. There was no evidence on this point and this clarification was made before the Supreme Court and Supreme Court held that even if this clarification was not made before it, it was necessary for the applicant to satisfy the Tribunal by proving the nature of the dispute pending in the earlier Reference before asking the Tribunal to make a finding in his favour under Section 33(2) and in absence of any such evidence the Tribunal would not be justified in holding that Section 33(2) applied and have been contravened. If the contention of the applicant that all workmen must be deemed to be workmen concerned in the earlier dispute were accepted, it would not be necessary for the Tribunal to go into the nature of the dispute pending in the earlier Reference.

6. In view of the above rulings of the Supreme Court, it must be held that the present applicant was not a workman "concerned" in the earlier dispute; that being so, Section 33(2) was not contravened by the Employer in dismissing him during above Reference. The present application under Section 33A cannot therefore be maintained and is dismissed.

I pass my award accordingly.
Dated, the 24th November, 1964.

Sd./- L. P. DAVE,
Presiding Officer.
[No. 6/33/63-LR.II.]

ORDERS

New Delhi, the 14th December 1964

S.O. 4293.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sitalpur No. 4 Pit Colliery of M/s. Bengal Coal Co., Ltd., P.O. Dishergarh, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

No, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the termination of services of Sarvashri Md. Idrish, Electrician and Kutubuddin, Electric Mazdoor of Sitalpur No. 4 Pit Colliery, under clause 21 of the Coal Mines Standing Orders was justified? If, not, to what relief are they entitled?

[No. 6/103/64-LR-II.]

S.O. 4294.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bankola Colliery P.O. Ukhra, Distt. Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Bankola Colliery in terminating the services of Shri Lal Bahadur Singh Haulage/Pump Khalasi vide their letter dated the 11th August, 1964 was justified? If not, to what relief is the workman entitled

[No. 6/91/64-LR.II.]

S.O. 4295.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Mandamari Division, Tandur Collieries Mandamari P.O. and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Dr. Mir Siadat Ali Khan as the Presiding Officer with headquarters at Somajiguda, Hyderabad, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

(1) Whether the Management is justified in not placing the workman Shri Kamari Rajam, blacksmith at Kalyani Khani No. 3 and 5 Incline, Mandamari Division, Tandur Collieries (Singareni Collieries Company Limited, Mandamari) in Category VI or VII having regard to the actual nature of duties performed by him?

(2) If not, to what relief is he entitled and from which date?

[No. 7/26/64-LR.II.]

H. C. MANGHANI, Under Secy.

New Delhi, the 10th December 1964

S.O. 4296.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act 1948 (9 of 1948) the Central Government hereby makes the following scheme further to amend the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the said sub-section, namely:—

Amendment Scheme

1. This Scheme may be called the Calcutta Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1964.

2. In the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957 in clause 4, after sub-section (e) the following sub-clause shall be inserted, namely:—

“(ee) providing medical facilities for listed dock workers;”

[No. 529/31/63-Fac.]

K. D. HAJELA, Under Secy.

New Delhi, the 14th December 1964

S.O. 4297.—Whereas the Indian Mining Association has nominated under clause (d) of sub-section (1) of section 12 of the Mines Act, 1952 (35 of 1952) Shri B. M. Maniar in place of Shri D. P. H. Rowe, as a member of the Mining Board Constituted for the States of Maharashtra and Gujarat;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 12 of the Mines Act, 1952, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 3937 dated the 22nd December, 1962, namely:—

In the said notification under the heading "Members", in paragraph 4, for the entry "Shri D. P. H. Rowe", the entry "Shri B. M. Maniar" shall be substituted.

[No. 3/11/64-MI.]

R. C. SAKSENA, Under Secy.